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otherwise had no leverage?

Another area in which the administration might have found "leverage" over countries that were not the recipients of bilateral military or development aid from the United States was in the activities of the Export-Import Bank. In October 1977, the Congress had adopted an amendment to the Export-Import Bank Act of 1945 that required the bank's directors to "take into account...the observance of and respect for human rights in the country to receive the exports supported by a loan or financial guarantee" from the bank. A year later, the Congress had second thoughts about using the Eximbank as a vehicle for human rights policy and passed a new amendment greatly diluting the human rights provisions. Nonetheless, as of mid-1983, the bank's president reported that "Eximbank continues as a policy matter to adhere to the human rights procedures previously established."⁴¹ These procedures, he said, include the following: "Specific clearance on human rights issues is obtained from the State Department on every transaction involving a direct loan or guarantee." By the State Department, he explained, he meant "in particular, the Bureau of Human Rights and Humanitarian Affairs."⁴²

The reason why the Eximbank might have provided leverage over countries over which the United States otherwise had little is that the bank does business with almost all of the countries in the world, far more than receive aid from the United States or from the multilateral development banks. Deputy Secretary of State Christopher testified that in 1978, the year that the more stringent human rights legislation was in effect, the Eximbank operated in 169 countries. Of these the Carter administration decided to take action on human rights grounds against only four, said Christopher.⁴³ One of the four was South Africa, toward which there existed longstanding statutory restrictions on Eximbank programs. Of the other three, none was a country over which the United States lacked other forms of leverage. The three were Argentina, Chile, and Uruguay.

A similar situation existed with the Overseas Private

Investment Corporation (OPIC). In 1978, Congress adopted an amendment, using language similar to its 1977 Eximbank amendment, that applied human rights criteria to the activities of OPIC which consist mostly in guaranteeing U.S. investments in developing countries. Throughout the rest of the Carter years, according to OPIC President Craig Nalen, only "one formal application for OPIC assistance...was rejected by OPIC on human rights grounds subsequent to a recommendation from State." The country in question, says Nalen, was El Salvador.⁴⁴ OPIC's activities do not range over as many countries as those of the Eximbank, but the list of countries in which OPIC advertised that it had programs available in FY1980 included, for example, Afghanistan, Benin, the People's Republic of the Congo, Ethiopia, Grenada, Guinea, Malawi, Mali, Nicaragua, Panama, Romania, Rwanda, Saudi Arabia, Somalia, Syria, Tanzania, Togo, and Yugoslavia—all countries whose records of respect for human rights run from bad to appalling. The fact that programs were "available" did not mean that programs were actually in effect, but OPIC's literature encouraged American businesses to apply for assistance in investing in these countries. The list of countries in which OPIC reported programs in effect during the Carter years included Syria, Saudi Arabia, the People's Republic of the Congo, Yugoslavia, Rwanda, Panama, Guyana, Malawi, and Benin.

In sum, there is reason to doubt that the variations among countries in the amount of leverage available to the United States for bringing to bear pressures with respect to human rights matters was an important cause of the inconsistencies in the Carter administration's actions. In some situations, as with the Food for Peace program or the Eximbank, there was inconsistency of applications even where essentially the same leverage was available for a large number of countries. In other situations, as in the multilateral banks, available leverage that might have been used to redress inconsistencies was left unused.

Priorities. In the Soviet Union, decades of totalitarianism have left a society in which only a courageous few dare to dis-

sent openly, and the repression of these few puts little strain on the vast police apparatus. In several countries in Latin America, on the other hand, governments that tolerated the existence of independent parties, churches, newspapers and labor unions also tolerated widespread assassinations by "death squads" with varying degrees of connection to police and military services. This comparison illustrates the ironic fact that an older, better established, more thorough tyranny whose population has all but given up hope for effective dissent may have less "need" to engage in eye-catching domestic violence than a newer, less repressive government struggling to impose or preserve its authority.

When the Carter administration chose to distinguish three categories of human rights and to place the emphasis of its human rights policy on the category that it labeled "integrity of the person," it was naturally led to select for special attention those countries where the most egregious violations of the integrity of the person occurred. Those countries may not have had the most repressive governments or the worst human rights violations measured by other standards. El Salvador, for example, rated an average of 3.5 during the Carter years on Freedom House's scales of political rights and civil liberties, scales on which the best possible score is 1 and the worst 7.⁴⁵ Literally scores of countries scored worse. Freedom House does not distinguish the "integrity of the person" as a separate category of human rights. By its standards there is thus little justification for the special attention that the Carter human rights policy gave to El Salvador. The same can be said for the other Latin countries that bore the brunt of the Carter policy. During the Carter years Uruguay averaged a score of 6 on the Freedom House scales. Guatemala averaged 3.75 and Chile, Argentina and Paraguay all averaged between 5 and 6. All of these scores, Guatemala's somewhat less so, bespeak serious violations of human rights. But there were many other countries that averaged in the range of 6 to 7—some even a worst possible flat 7—that seemed to receive less attention from the U.S. administration.

The apparent reason for the discrepancy was that these Latin countries were the scenes of severe violations of the "integrity of the person." In this respect at least the Carter policy could be seen as exhibiting, to use a distinction formulated by the Congressional Research Service, "consistency as policy coherence," if not "consistency as commensurate response."⁴⁶ You might not agree with a human rights policy that responded more forcefully to, say, Guatemala than to Romania, but you could understand its rationale. But, alas, the Carter administration was not consistent in this sense either.

Probably no group of countries, neither in Latin America nor in the Warsaw Pact, was a more certain target of the Carter human rights policy than the white supremacist regimes of southern Africa. In the administration's first days, its human rights policy was launched with three actions: words aimed at Czechoslovakia, words aimed at the Soviet Union, and words and a trade embargo aimed at Rhodesia.⁴⁷ The administration successfully appealed to the Congress to repeal the "Byrd Amendment" which prohibited the United States from joining in a UN-sponsored boycott of Rhodesian chrome as long as the United States continued to import chrome from the Soviet Union. A few months later Vice President Mondale was dispatched to a meeting with South African Prime Minister Vorster to whom he presented an ultimatum. "I made it clear," announced Mondale, "that without evident progress that provides full political participation and an end to discrimination, the press of international events would require us to take actions based on our policy to the detriment of the constructive relations we would prefer with South Africa."⁴⁸ And the ultimatum was reinforced with this threat: "We hope that South Africans will not rely on any illusions that the United States will, in the end, intervene to save South Africa from the policies it is pursuing, for we will not do so."⁴⁹

Elizabeth Drew, whose portrayal of the first six months of the human rights policy has been widely praised for its accuracy, wrote that "Mondale assured South African Prime

Minister John Vorster, who raised the question...that we would be tough on the black African regimes, but one administration official says that in fact our first priority in Africa is elimination of racism, and human rights deprivations are second."⁵⁰ Drew's report was corroborated by the Congressional Research Service which reported in late 1979 that the "bad...human rights records of socialist governments of Africa were rarely mentioned" by the administration.⁵¹

Some members of Congress expressed displeasure with the apparent double standard toward Africa. Representative Clarence Long, urging tougher U.S. action against Uganda's Idi Amin, had this exchange with Patricia Derian:

Mr. LONG. We are very free with our criticism of Rhodesia.

Ms. DERIAN. The situation in Rhodesia is equally serious.

Mr. LONG. Equally serious with Uganda?

Ms. DERIAN. Yes.⁵²

If the administration found the two situations to be "equally serious," it did not treat them equally. It moved swiftly to overcome congressional reluctance to join the UN's economic boycott of Rhodesia, but it firmly resisted congressional pressure for a boycott of Ugandan coffee.⁵³ Secretary Vance said that:

the administration has expressed its strong views with respect to the situation in Uganda in terms of human rights and the failure to respect the dignity of individuals. We have, however, refused to go along with a proposal that there should be an economic boycott with respect to Uganda; and we believe that a distinction should be drawn between such activities as an economic boycott, on the one hand, and the expression of our strong views.⁵⁴

Moreover, it was, as Congressman Long's reaction im-

plied, far from obvious that the situation in Rhodesia was as serious as the mayhem and carnage that reigned in Uganda. One administration official who tried to articulate a justification for this discrepancy was Assistant Secretary of State for International Organization Affairs Charles William Maynes. He said:

we must also attempt to comprehend why—from a human rights perspective—South Africa poses such a special problem. There are many lessons we might have derived from World War II but one lesson we clearly did derive: That in the wake of the holocaust, never again could the world permit millions of people to be judged legally by their fellow countrymen on the basis of the color of their skin or their ethnic origin, as opposed to their individual actions or political beliefs. It is in this respect, and this respect alone, that South Africa stands apart in the world and must be judged apart.⁵⁵

Maynes' argument is cogent in its own terms, but two questions arise about its relation to the administration's policy. One is whether the administration was consistent in assailing state-sponsored ethnic persecution wherever it was to be found. Persecution, even violent persecution, of tribal groups or of Asians is tragically common in black Africa, yet little was made of this by the Carter administration. In Mozambique, for example, Amnesty International reported that: "Certain religious groups have also been targets for government disapproval, particularly the Jehovah's Witnesses, most of whom are now believed to be detained at re-education camps...Those held at re-education camps are reportedly made to do heavy labour but are poorly fed and are subject to random brutality by camp guards."⁵⁶ Far from campaigning against these religious persecutions, the administration sought closer ties with the government of Mozambique. In his memoirs Cyrus Vance quotes his own memo to the president outlining goals for the administration: "We must continue to shore up the 'front line countries' and move toward closer relations with Angola and Mozambique."⁵⁷ It was, presumably, toward the goal of such

"shoring up" that the administration joined in the Maputo Declaration describing the government of Mozambique (and that of Angola) as having extended "the frontiers of freedom" in Africa.⁵⁸

The more important question about Maynes' formulation is whether it is at all compatible with the Carter administration's chosen emphasis on "the integrity of the person." That emphasis focuses on the frequency or severity of acts of official brutality rather than on the overall degree of freedom or justice in a system. To the extent that we want to evaluate societies, that emphasis tells us to count the number of executions or beatings or arbitrary imprisonments, rather than as, say, the Freedom House approach would suggest, to count the numbers of independent newspapers or political parties or labor unions or churches or judicial acquittals. One approach focuses on measuring the cruelty; the other on measuring the freedom.

Violations of the integrity of the person did occur in South Africa and Rhodesia, but on this score many other governments, especially several black African governments, had worse records. In 1978, the year of Maynes' speech, for example, Amnesty International reported on brutalities and killings committed by South African and Rhodesian authorities, and Amnesty reported that it had "adopted" numerous "prisoners of conscience" in each of those countries.⁵⁹ At the same time Amnesty reported that it was not able to "adopt" prisoners in Uganda "because the number of prisoners who are not murdered in detention is small and information about them difficult to obtain."⁶⁰ In Guinea that year Amnesty reported that "instead of adopting individuals, Amnesty International groups adopted two entire prisons."⁶¹ Meanwhile in nearby Equatorial Guinea the situation, as described by Amnesty, was as follows:

Prisoners in the country are divided into three categories: "Brigade A" consists of political opponents (or suspected opponents) of the President, and although they receive no trials, they are all considered to be under sentence of death. "Brigade B" prisoners have committed no major offenses against the

President, but are considered a threat and detained indefinitely. "Brigade C" prisoners are common-law criminals, many of whom are persuaded to help the prison guards beat and maltreat the Brigade A and B prisoners....⁶²

Also during that year, the government of Ethiopia was carrying out the campaign it called "Red Revolutionary Terror." According to Amnesty:

...This policy was implemented in an extreme and arbitrary manner, especially against children of both sexes, whose ages ranged from eight to twenty. Government officials constantly justified the campaign activities as necessary "to protect the Revolution", but their claim that emphasis was on "rehabilitation" rather than "liquidation" was not borne out by the constant reports of the "liquidation" of "counter-revolutionaries" and the constant unofficial reports of widespread political killings by government officials, which often amounted to massacres.⁶³

Maynes' point was that the injustice inherent in the systems of South Africa and Rhodesia was more important than any mere body count or enumeration of the barbarities perpetrated by other African regimes, more important, in short, than any number of violations of the integrity of the person. This may be right, but it is not easy to see why the principle involved should apply only to racist systems and not to the other inherently and appallingly unjust kinds of regimes that can be found in the world.

Conditions. The Congressional Research Service reported that another of the reasons cited in interviews by Carter administration officials for the apparent inconsistencies in human rights policy was the country to country variations in the degree of authentic domestic or external threat to the stability of the regime. The clearest example of this concerned Korea. Vance wrote:

the human rights situation [was] a subject that always arose when Korea was discussed. While the situation in the south fell far short of what most of us felt was desirable, we con-

stantly had to weigh the fact that only thirty-five miles to the north of Seoul was a nation in which control of the population was absolute and freedom nonexistent. The contrast could not be ignored, and although some critics felt that we were not vigorous enough in advocacy of human rights in South Korea, I felt that a careful balance was essential, and made sure that it was maintained.⁶⁴

Other than Korea, however, it is not easy to find instances in which the threats facing a government influenced the Carter administration in the application of its human rights policy, especially not domestic threats.

One paltry example in which the administration attenuated its human rights policy in consideration of the domestic threats facing a regime occurred when Zbigniew Brzezinski and William Sullivan, U.S. ambassador to Iran, persuaded Cyrus Vance to overrule Assistant Secretary Derian in order to allow shipment of tear gas to the government of the Shah.⁶⁵ However, considering that the ban was only lifted during the Shah's last hopeless weeks in power, after having been in effect throughout the period of burgeoning rebellion against his regime, and that, even then, Vance's order did not apply to other crowd control devices sought by Iran, it is debatable whether this example shows how much the Carter human rights policy took into account the domestic threats that regimes confronted, or how little.

A plausible case can be made that the effect on the Carter policy of such considerations was the inverse of what the Congressional Research Service inferred from the officials it interviewed. The presence of insurrectionary forces within a country often seems to have led the Carter administration to toughen its human rights policies aimed at that country. The Latin American countries that made up the bulk of the prime targets of the Carter policy were in most cases countries where violent revolutionary movements were at work.

There are several reasons that might account for this. The first is simply that the existence of such a situation serves to focus the attention of the American public and U.S. officials on a country; more journalists are dispatched,

more congressional hearings held, often more U.S. aid is proposed, and human rights problems are brought into full glare.

A second reason was the influence of the human rights movement on administration policy. The Congressional Research Service found that "external political organizations become important sources of direct reports [to the State Department's Bureau of Human Rights] that serve to focus attention on specific countries."⁶⁶ Some of these activist human rights groups are distinctly sympathetic to revolutionary movements in places like Latin America, and are therefore likely to press hardest for U.S. sanctions against governments that are resisting such movements.

A third reason why the administration may have been toughest on governments that were in jeopardy may be inferred from a comment Secretary Vance made about Africa. "Our policy toward the region of Southern Africa proceeds from the unmistakable fact that change is coming," he said. "The great question is whether peace or violence will be the instrument of change."⁶⁷ Not only in southern Africa, but wherever else it found turmoil within the reach of its influence, the Carter administration sought to resolve conflicts, and it rarely if ever seemed to believe that repression or the status quo offered a basis for solution. The solutions on which it rested its hopes invariably entailed "change." The implication was that it was often necessary to bring more, not less, pressure to bear on governments under challenge.

A final reason is suggested by the comments of Mark Schneider in response to the accusation by Carter's Assistant Secretary of State for East Asian and Pacific Affairs Richard Holbrooke, that "in the name of human rights some people in the Carter administration really sought to use American leverage to undermine governments and change regimes."⁶⁸ Holbrooke's remark apparently referred to Schneider, Derian, and some of their colleagues. Asked if the charge was valid, Schneider said:

Phrased that way, the answer is no...If you phrase it another

way, that we were pressing to try and see democratic governments and respect for human rights become the norm in a given country, then he's absolutely right. At times that would only occur through a change in government. But we weren't going out to change the government. If that government determined to change, then we had no qualm with whoever happened to be the individual. It was a question of whether or not they were going to respect human rights and permit democratic processes to take place.⁶⁹

Schneider's response shows that in the eyes of Carter's human rights bureau, the prospect of the overthrow of a government that was resistant to democratic change—as, for example, Schneider said Somoza was—was something seen less as a danger than as an opportunity. In this view, such situations would call for an increase in U.S. pressure on the government in question, not a decrease.

Other Interests. All four sources of inconsistency in human rights policy discussed thus far could be classified as considerations intrinsic to the policy. They are questions about how most effectively to pursue a human rights policy. The fifth source of inconsistency is extrinsic. As long as the advancement of human rights is not the *sole* goal of American foreign policy, the possibility exists that measures that will serve this goal will disserve some other goal, and that therefore some of these measures will have to be foregone. Since conflicts of this kind are bound to arise more often in regard to some countries than to others, they will impel a degree of inconsistency in the application of human rights policy. While, as has been shown, there is considerable room for doubt about whether the four intrinsic factors most frequently mentioned as sources of inconsistency in the Carter administration's policy really were significant causes, there is no room for doubt that the conflict between human rights goals and other foreign policy goals was indeed a very major source of the visible inconsistencies in the Carter policy. The Congressional Research Service reported that its interviews with Carter administration officials "suggest that the most powerful and far-reaching basis for shaping and delimiting

U.S. human rights initiatives is potential conflicts between those initiatives and other foreign policy interests."⁷⁰

In the first weeks of the Carter administration, when Secretary Vance brought to Capitol Hill proposals for a few symbolic cuts, on human rights grounds, in the Ford administration's security assistance budget, he explained that "In each case we must balance a political concern for human rights against economic or security goals."⁷¹ A few weeks later in his "Law Day" speech, which the administration thereafter treated as the definitive statement of the guidelines for its human rights policy, Vance stated that "in each instance" of applying its human rights policy the administration would ask itself several questions, including: "Have we been sensitive to genuine security interests, realizing that outbreak of armed conflict or terrorism could in itself pose a serious threat to human rights?"⁷² Time and again this theme was reiterated by administration representatives, perhaps most clearly by Deputy Secretary Christopher, who said:

....human rights is one element of our foreign policy, but it is not the sole element. In some situations, the security considerations are sufficiently important that they alter the direction that our policy would be driven if we were concerned solely with human rights matters.⁷³

The rubric "security considerations" encompassed a host of situations. The most obvious was that of authoritarian regimes in countries deemed to be of geopolitical importance that were allied to the United States. In the eyes of the Carter administration, most of these, perhaps all of them, were located in Asia. Patricia Derian recited the list:

We must maintain our bases at Subic and Clark Airfield; we must prevent the repressive regime in North Korea from conquering South Korea; we must try to keep ASEAN alive...Indonesia is the biggest country in ASEAN...and strategically located...Pakistan must be heavily armed so that it can withstand and discourage a Soviet invasion.⁷⁴

Derian went on to say that, in her view, all of these considerations, except for the one about Pakistan, "seem to be sound," and had to be weighed against human rights considerations, but that they deserved less weight than the Reagan administration, as well as some of her colleagues in the Carter administration, wanted to give them.⁷⁵

Had Derian's testimony occurred before the fall of the Shah, her list certainly would also have included Iran, whose centrality to world energy politics gave it great importance in the eyes of various Carter administration officials, less so in Derian's eyes. Her deputy, Stephen Cohen, has said: "the Shah was protected from U.S. human rights policy....we [i.e., the Bureau of Human Rights] would have liked to have applied some human rights pressures to the Shah, but we lost. All during 1977 and 1978 we argued for them and we always lost the argument. Iran was too important; there were too many national security considerations."⁷⁶ Cohen exaggerates. There were *some* human rights pressures brought against the Shah, but far fewer than had the world run on coal. Ledeen and Lewis argue that the Carter human rights policy contributed to the downfall of the Shah, but they also agree that the administration pulled its punches.⁷⁷

Policy toward the Shah was in fact a bit schizophrenic, the administration one day signaling its disapproval and the next day rushing to reassure, the latter impulse best expressed in the president's own comments on his visit to Iran:

Iran, because of the great leadership of the Shah, is an island of stability in one of the more troubled areas of the world.

This is a great tribute to you, Your Majesty, and to your leadership and to the respect and admiration and love which your people give you.⁷⁸

The politics of energy also affected U.S. human rights policy toward Saudi Arabia, which, observed the Congressional Research Service, "though it would likely be considered a significant violator of human rights, is clearly of major significance to the United States."⁷⁹ The first set of

Country Reports on Human Rights produced by the Carter administration described Saudi Arabia as a "basically egalitarian and individualistic" society, and it noted delicately that "Saudis have a finely drawn sense of justice." It conceded that the Saudis practice the severing of hands, but it added reassuringly that, "This punishment is not meted out to first or second offenders but only to clear recidivists."⁸⁰

If "security considerations" worked to attenuate the vigor with which the Carter administration pursued its human rights policy in regard to strategically placed allies or key energy suppliers, these considerations had the same effect, even perhaps a stronger one, with respect to America's adversaries. This was true because peace-making was the centerpiece of the Carter administration's security policies. Carter was very conscious of being the first post-Vietnam president. As a candidate, Carter had said that "countries don't trust us and don't respect us at this moment, because we're considered to be warlike,"⁸¹ and he promised that his first act in office would be to pardon Vietnam era draft evaders, a promise he kept. In his first major foreign policy speech in office, President Carter said that "Vietnam [was] the best example of [the] moral and intellectual poverty" that had led the United States to fight "fire with fire, never thinking that fire is better quenched with water."⁸² Peace-making, to the Carter administration, was not merely another foreign policy goal against which human rights goals had to be balanced. Patricia Derian said: "World peace is and must be the overriding human rights objective of our government."⁸³ Seen this way, peace-making automatically overrode all "other" human rights goals.

Arms limitation was at the center of the administration's peace-making strategy. SALT II, said Secretary Vance, was the administration's answer to the question of "how best to assure our security in an era of nuclear weapons."⁸⁴ It followed that human rights issues should not be allowed to interfere with SALT. Even Brzezinski, noted as the most anti-Soviet voice in the administration, said that we must "ask whether a given government, which grossly violates

human rights...is also involved in relationships that are of importance to us....[S]hould we refuse to negotiate arms-control agreements with the Soviets because they violate the human rights of dissidents or Jewish would-be emigres?"⁸⁵ Brzezinski's answer was no, but he was arguing against a straw man. The question was not whether these issues should lead the United States to withdraw from SALT, but whether the United States should avoid making too much of these issues for fear that overly antagonizing the Soviets would lead *them* to be less cooperative in SALT. As Brzezinski himself put it, the question was, "would such relationships be adversely affected...if we pressed the human rights issue beyond some reasonable point?"⁸⁶

The Soviet Union was the target of some of the administration's very early human rights actions, but after these events had brought a sharp public and private reaction from Soviet officials, Carter was consistently on the defensive, sometimes almost apologetic, about his human rights stance toward the Soviet Union.⁸⁷ When, for example, Carter was questioned on this subject at a July 1977 press conference, he stressed that "we are not trying to punish anyone."⁸⁸ But when he addressed the Organization of American States about human rights in Latin America, the president struck a different note. There he declared manfully:

My government will not be deterred from...promoting human rights...in whatever ways we can. We prefer to take actions that are positive, but where nations persist in serious violations of human rights, we will continue to demonstrate that there are costs to the flagrant disregard of international standards.⁸⁹

The Congressional Research Service observed: "the President's early comments and gestures with respect to the Soviet Union were soon displaced...by a pronounced focus on governments with whom the United States had friendlier relations."⁹⁰

If the Carter administration pulled its human rights punches both with key allies and with adversaries, the countries that may have gotten the freest ride were those that

were in a sense both allies and adversaries, i.e., Communist countries that sought under U.S. aegis to maintain their independence of Moscow. Questions about the status of human rights in the People's Republic of China, for example, were virtually never raised by the Carter administration. And when the subject was raised by others, administration spokesmen resorted to tortured evasions. When asked on his 1977 visit to China whether he had raised "the subject of human rights," Secretary Vance replied, "Yes, I did." But when a skeptical reporter probed further, wanting to know if "human rights [was] discussed in relation to China" or just in the abstract, Vance replied: "I don't want to get into any further detail on that."⁹¹ Back home, a few months later, the secretary had this exchange at a news conference:

Q. There have been political executions in China. I wonder if the United States is still concerned about the situation—the human rights situation—in mainland China.

A. Yes, the United States is concerned about the human rights situation in any part of the world where there are executions. The information which we have with respect to that particular situation is limited, and that is all I can say at this point on it.⁹²

Derian has testified since leaving office that her "Efforts to extend the work for human rights improvement to the Communist Government of the People's Republic of China and the right-wing Government of Taiwan were stymied time and again" within the State Department.⁹³

The same treatment applied to Yugoslavia. Yugoslavia was the one Communist country over which the Carter administration possessed an abundance of its chosen form of "leverage." Yugoslavia receives both economic and military aid from the United States, receives loans from the multilateral development banks, and benefits from the activities of both OPIC and the Export-Import Bank. Yet Yugoslavia never was subjected to punitive measures in any of these areas, as were numerous other countries. South Korea and the Philippines, for example, were exempted from cuts in

military aid in deference to their strategically sensitive locations, but neither was exempted from the embarrassment of negative U.S. votes in the multilateral banks. Yugoslavia, in contrast, was exempt not only from aid cuts but also from negative votes.

Yugoslavia's special treatment extended to the realm of rhetoric, as well. In its first *Country Reports*, the Carter State Department explained that in Yugoslavia "freedom of thought is generally upheld, but there are strong restrictions on the public expression of thoughts,"⁹⁴ rather a fine distinction this side of Winston Smith's Oceania. While the State Department treated Yugoslavia delicately, President Carter himself treated it sycophantishly. During President Tito's 1978 visit to the United States, President Carter, at various moments, declared him "a great and courageous leader" who "has led his people and protected their freedom almost for the last forty years," and "a man who believes in human rights" and who "as much as any other person...exemplifies...the eagerness for freedom, independence, and liberty that exists throughout Eastern Europe and indeed throughout the world."⁹⁵ Carter might have added to his list of Tito's virtues that he was no flatterer, for he reciprocated none of this rhapsody.

Another Communist country in whose independence, or partial independence, from Moscow the United States has long felt itself to have a stake is Romania. Like Yugoslavia, Romania was exempt from the punishments that the Carter administration applied to various U.S. allies. And like Yugoslavia, Romania's president came in for fulsome praise when he visited the United States. Carter said of Ceaucescu:

Our goals are the same, to have a just system of economics and politics, to let the people of the world share in growth, in peace, in personal freedom, and in the benefits to be derived from the proper utilization of natural resources.

We believe in enhancing human rights. We believe that we should enhance, as independent nations, the freedom of our own people.⁹⁶

Nor was it necessary that an Eastern European country be outside the Warsaw Pact, as is Yugoslavia, or that it pursue an independent foreign policy, as does Romania, for it to receive this kind of treatment from President Carter. In Poland, President Carter drank a toast to "the freedom of the Polish people [and] to your enlightened leaders—particularly First Secretary Gierek and his wife."⁹⁷ Earlier, Carter had observed that "our concept of human rights is preserved in Poland...much better than other European nations with which I'm familiar," and that "Poland shares with us a commitment...to have our own faults publicized evocatively at conferences like the one in Belgrade."⁹⁸ Later, the word "some" was inserted before the word "other" in the first of these remarks when the official White House Press Office transcript was released.⁹⁹ Carter's comments in Poland and while hosting Tito and Ceaucescu seemed to reflect a strong psychological need within the president, "an eagerness to please," suggests his former speechwriter, Hendrik Hertzberg.¹⁰⁰ They also no doubt reflected a view shared by all postwar administrations that the United States has an interest in strengthening its own ties, independent of Moscow, with the nations of Eastern Europe. And they seemed to demonstrate the impulse of Carter and his administration to be peace-makers, to bring about a reconciliation with all those nations that had been our adversaries, an impulse that was expressed in the administration's efforts to restore normal relations with Cuba, Vietnam, the People's Republic of China, Angola, and Mozambique, and in other acts.

This peace-making impulse militated against the firm application of the human rights policy to those countries with which reconciliation was sought. This factor may even have muted the administration's response to Pol Pot's reign of terror in Cambodia. Although the fact that Cambodia was in the grips of a rampage that had no equal for sheer barbarity since Hitler's holocaust was common knowledge for a year or two before Carter took office, he himself did not remark on it until April of 1978. When, in December of 1977 Patricia Derian was asked why the administration

wasn't "speaking out more" about Cambodia, she replied: "I'm not sure what you can say beyond saying that it's awful, that people are dying, that there is serious trouble there."¹⁰¹ When thinking about El Salvador, on the other hand, she did think of something more to say. "No description of hell touches the bestiality of what is happening to the people of El Salvador," she said.¹⁰² Sandra Vogelgesang, who was in charge of human rights issues in the State Department's Policy Planning Staff during the early part of the Carter administration, offers a different explanation of why more was not said about Cambodia. "Many officials inside the executive branch and the Congress believed that speaking out too strongly would jeopardize prospects for future contacts with the Cambodia government," wrote Vogelgesang.¹⁰³

While making peace with our adversaries, preserving alliances with certain friends, and staying on the good side of petroleum exporters were the major "other interests" that conflicted with Carter's human rights policy, there were several minor ones. For example the administration made much of the fact that, thanks to Andrew Young, as Vance said, "the U.S. is beginning to establish relations with the Africans where they believe we really do care about their future." This, he said, "is going to be very important to us in the future."¹⁰⁴ Apparently for this reason the administration said rather little about human rights in black Africa despite the fact that the governments of that region have, on the average, probably worse records for respecting human rights than those of any other region.

Though the administration came to acknowledge and defend inconsistency as inevitable and necessary in human rights policy, it apparently could not abide the embarrassment of inconsistencies that it thought were especially obvious. The results were expressed by the Congressional Research Service after conducting confidential interviews with human rights officials this way:

restraint with respect to [human rights] initiatives must also be shown when a country is a logical parallel or analogue to one that has been exempted for other reasons. Thus, for

example, cultures and regimes of North Korea and Vietnam bear many resemblances to those of the People's Republic of China, so to publicly raise human rights issues with respect to those countries would open the administration to highly plausible charges that it was being inconsistent in not calling attention to comparable violations in the People's Republic of China. Similarly, extensive public comment on Eastern European Communist countries would open the administration to arguments that it should be further emphasizing human rights violations in the Soviet Union. This line of argument has apparently been applied equally successfully to Arab states other than Egypt with the result that they too have been exempt for the most part from human rights pressures.¹⁰⁵

This shows that, despite its protestations to the contrary, the administration knew that inconsistency could seriously compromise its human rights policy. But it seemed more concerned with imagery than substance. Thus, in the hope of avoiding the *appearance* of inconsistency the administration introduced a new source of inconsistency. Now, not only did one group of countries receive special treatment in terms of human rights policy because of some other interest which the United States wished to pursue with them, but a second group also received special treatment merely because they resembled countries in the first group.

In sum, of the five reasons for inconsistency that are most often cited in discussions of human rights policy, the one whose effect was by far the most powerful on the Carter administration was the conflict between human rights and its other foreign policy goals. The reality of what did or did not contribute to the inconsistency was masked by what the administration called its "case-by-case" or "country-by-country" approach,¹⁰⁶ and by the fact that not only security concerns but a wide variety of other foreign policy interests clashed with the human rights policy.

Stanley Hoffmann observed that "a case-by-case approach tends to give precedence in almost every instance to a conflicting concern, a more urgent interest or a special circumstance."¹⁰⁷ Perhaps in "almost every instance," but not in

every one. The practical consequence of the administration's country-by-country approach was that the countries of Latin America became the principal targets, outside of southern Africa, of the Carter human rights policy. As Lars Schoultz has put it:

Once the Carter administration recognized that a universal, absolute standard of human rights would conflict with other foreign policy values to an intolerable extent—once the administration adopted a case-by-case approach to human rights abuses—attention shifted to the nations of Latin America. By the end of 1977, it was clear that the United States' efforts to protect human rights were to be concentrated upon Latin America's repressive governments.¹⁰⁸

Because we were trying to make new friends in black Africa, because we needed oil from the nations of the Near East, because we wanted detente with the Russians and the rest of the Warsaw Pact and also to encourage polycentrism within it, and because in Asia we were trying to build new relationships with some Communist governments while continuing to protect non-Communist countries against possible Communist aggression, practically the only place left to which the Carter administration felt it could apply its human rights policy was Latin America.

It inevitably seemed that it was the weakness of the Latin countries and the friendliness of their governments toward the United States that led the U.S. government to single them out for punishment. More than one observer was reminded of the traditional Yankee propensity for bossing southern neighbors. This awkward situation was not unavoidable. It came about as the result of the conflict between the Carter administration's human rights policy and its other chosen foreign policy goals. But the United States has, or ought to have, other goals with respect to Latin America, too. Why should it be more important to make new friends in Africa than to keep old ones in Latin America? Of course being friendly toward a dictatorial government is not necessarily the same as being friendly toward the people over whom

it rules, but this is not more true on one continent than on another. The question of where to draw the line, of which other interests to subordinate to human rights goals and which to superordinate was a matter of judgment. The judgments that the Carter administration made, often in a rather ad hoc way, sapped the moral authority of its policy.

To point to the errors of the Carter policy is not, however, to answer the more general question—is there something inherently wrong with inconsistency in a human rights policy? This question, it should be stressed, has to do with standards, not necessarily with performance. As long as human beings are fallible, it may be impossible to achieve perfect consistency any more than perfect objectivity. Our legal system, however, works on the premise of the objectivity of judges and juries. We know that human frailty will cause a certain derogation from perfect objectivity in our courts, but objectivity remains the goal and the standard by which we measure the performances of judges and jurors. Analogously, the issue here is not whether it is possible to achieve perfect consistency, but whether this ought to be the goal.

A human rights policy that does not set itself the goal of consistency is on a slippery slope, as the Carter experience illustrated. Perhaps a few exceptions are unavoidable: perhaps China must be exempted from human rights pressure because of its strategic importance, or Saudi Arabia because of its oil, or the USSR because of SALT, or South Korea because of North Korea, but where does this end? To abjure the goal of consistency is to invite the fate of the Carter human rights policy in which the big majority of countries were for one reason or another exempted and only a select few ended up bearing the full brunt of the policy.

Of course no policy will achieve perfect consistency, but a policy that fails to strive for consistency is likely to yield to capricious inconsistency. It will be endlessly susceptible to the temptations of political expedience, to the distorting influence of outside pressure groups, and to the wrath or blackmail of recalcitrant governments. The Congressional

Research Service found that during the Carter years, "the level of public interest seems to have played a significant role in determining that some countries would receive disproportionate attention. The initiatives of interest groups concerned with conditions in specific countries or regions have stimulated government action."¹⁰⁹ Some of these groups had approaches to "human rights" that were so tortured that they could find little to criticize in Communist countries. Why were they so influential? Part of the reason was that the Carter administration was open to the Left; but part of it, too, was that a policy that is not steered by the goal of consistency and goes instead by a case-by-case approach will always be hard put to resist whatever political pressures are applied to it.

Another one of the pitfalls of inconsistency is exemplified in President Carter's memoirs. He writes:

Since I had made our nation's commitment to human rights a central tenet of our foreign policy, it was impossible for me to ignore the very serious problems on the West Bank [and the] continued deprivation of Palestinian rights....In my opinion it was imperative that the United States work to obtain for these people the right to vote, the right to assemble and debate issues that affected their lives, the right to own property without fear of its being confiscated, and the right to be free of military rule....I had promised to do my best to seek resolution of problems like these, *no matter where they might be found*.¹¹⁰

Despite his last pietistic phrase, Carter did not work to secure the right to vote or to assemble and debate issues for the people of Algeria, Bahrain, Egypt, Iraq, Jordan, Kuwait, Libya, Morocco, Oman, Qatar, the Sudan, Syria, Tunisia, the United Arab Emirates, Yemen, and especially not Saudi Arabia, just to mention Arab peoples, although obviously the same could be said for scores of other nations. Nor did Carter, or anyone working under him, ever breathe a word about the right to own property to Deng Xiao Ping or Gierak or Tito or Ceausescu or to any other official of any Communist country.

Moreover, it is likely that the human rights of the Arabs of the West Bank will be better protected under Israeli rule than under rule by Jordan or the PLO. The only Arabs in the world, other than those who have emigrated abroad, who enjoy the right to vote and to assemble and debate issues are Israeli Arabs. Israeli rule would be especially preferable in terms of the category of human rights chosen for emphasis by the Carter administration, those involving the integrity of the person. Israel, for example, has no death penalty, while the PLO, which would become the rulers of the West Bank state that Carter wished to create, routinely executes those who offend it, not to mention the sanguinary fashion in which it resolves its own leadership contests.

None of this is to deny that the West Bank Arabs give every indication that they yearn to be free of Israeli rule, nor even to argue that they ought not to be granted their wish. It is, however, to deny that self-determination is likely to lead to enhancement of the protection of the human rights of the West Bank Arabs, and especially to deny that it was considerations of human rights that brought Carter to this issue or shaped his views on it. The reason that Carter was concerned about the West Bank Arabs was that he was convinced that they were the key to peace in the region, surely a worthy concern. Another reason is that their case was pled to him by Saudi Arabia and other suppliers of petroleum, an important if less-elevated consideration. The reason that he introduced the rhetoric of human rights into this discussion was probably that he felt the need to marshal strong and morally compelling arguments to counter the political and polemical strength of pro-Israeli sentiment. This kind of exploitation of the cause of human rights, which cheapens and ultimately weakens it, is made possible by the absence of the standard of consistency.

These are some of the many pitfalls of inconsistency, but there is a still more profound reason why consistency is important in human rights policy. The struggle for human rights is a struggle for the hearts and minds of people, to use an abused phrase. The extent to which human rights

will be protected in the world depends more than anything else on the extent to which people believe in the idea of human rights: on the numbers of people who believe in it; on the strength of their belief; on their willingness to take risks and make sacrifices to secure rights for themselves and their willingness to discipline themselves not to impede the rights of others. The idea of human rights is in essence the idea that relations among people ought to be governed by principle rather than unbridled self-interest.

The triumph of human rights in a society entails the concordance among its members to live by certain rules. This concordance needn't be unanimous, but it must embrace a majority large enough to restrain those who wish not to live by the rules. It entails convincing people not only that the rule of principle is desirable, but also that it is possible—that my self-restraint will be matched by the self-restraint of others and not merely lead to my exploitation.

The advocate of the rule of principle, to be persuasive, must be regarded as principled himself. It is logically true that the force of an argument has nothing to do with the sincerity of the speaker, but it is not psychologically true. All the more so on issues of ethical behavior, such as human rights. U.S. human rights policy, to be effective, must be seen as a principled policy. If it is not consistent it is more likely to seem hypocritical.

It must be recalled that the world has much experience with hypocritical human rights advocacy. Indeed it has more experience with that than with the principled kind. This experience comes not only from Communist governments and other dictators, real and aspiring, but even from the august halls of the United Nations. When he was U.S. ambassador to the UN, Daniel P. Moynihan said in one speech:

the selective morality of the United Nations in matters of human rights threatens the integrity not merely of the United Nations, but of human rights themselves. There is no mystery in this matter. Unless standards of human rights are seen to be applied uniformly and neutrally to all nations, regardless of the nature of their regimes or the size of their armaments, unless this

is done, it will quickly be seen that it is not human rights at all which are invoked when selective applications are called for, but simply arbitrary political standards dressed up in the guise of human rights. From this perception it is no great distance to the conclusion that in truth there are no human rights recognized by the international community.¹¹

It is of course logically possible that the inconsistencies in the human rights actions of the UN flow from sheer hypocrisy, while the inconsistencies in those of the United States flow from something else, but how many people are likely to believe that? And will they be wrong not to? We have seen that the main source of inconsistency in U.S. policy is conflict with other U.S. interests. Is it hypocrisy for others to put what they see as their interests ahead of human rights, but not hypocrisy for us when we do so? A human rights policy that does not accept the principle of consistency may achieve some marginal benefits, but it will contribute little in the long run to advancing the idea of human rights.

NOTES

1. Stanley Hoffman, "A View from at Home: The Perils of Incoherence," *Foreign Affairs*, Vol. 57, No. 3, p. 476.
2. "Interview with Foreign Broadcast Correspondents," *Weekly Compilation of Presidential Documents*, May 9, 1977, p. 634.
3. Donald M. Fraser, "Human Rights and United States Foreign Policy—The Congressional Perspective," in *International Human Rights Law and Practice*, ed., James C. Tuttle, rev. ed. (Philadelphia: International Printing Co., 1978), pp. 174-175.
4. U.S., Congress, Senate, Committee on Foreign Relations, *Nomination of Ernest W. Lefever*, 97th Cong., 1st sess., 1981, p. 188.
5. "Human Rights and American Foreign Policy: A Symposium," *Commentary*, Vol. 72, No. 5 (November 1981), pp. 43-44.
6. Zbigniew Brzezinski, *Power and Principle* (New York: Farrar, Straus, Giroux, 1983), p. 128.
7. U.S., Congress, House, Committee on Foreign Affairs, *Reconciling Human Rights and U.S. Security Interests in Asia*,

- Hearings before the Subcommittees on Asian and Pacific Affairs and on Human Rights and International Organizations, 97th Cong., 2nd sess. (1982), p. 9.*
8. Hoffman, "The Perils of Incoherence," p. 479.
 9. Arthur Schlesinger, Jr., "Human Rights and the American Tradition," *Foreign Affairs*, Vol. 57, No. 3, p. 515.
 10. Interview with Jessica Tuchman held in Washington, D.C., Dec. 29, 1983.
 11. CBS, "Face the Nation," Dec. 25, 1977.
 12. "A Crusade That Isn't Going to Die," *Time*, Feb. 27, 1978, p. 22.
 13. "What's Right with our Foreign Policy?," *U.S. News and World Report*, Feb. 13, 1978, p. 32.
 14. U.S., Congress, House, Committee on Appropriations, *Foreign Assistance and Related Agencies Appropriations for FY1978, Part 3, 95th Cong., 1st sess., p. 353.*
 15. *Ibid.*, p. 354.
 16. Abraham M. Sirkin, "Can a Human Rights Policy Be Consistent?," in *Human Rights and U.S. Foreign Policy*, eds., Peter G. Brown and Douglas MacLean (Lexington, Mass: Heath, 1979), p. 209.
 17. Schlesinger, "Human Rights and the American Tradition," p. 519.
 18. Sirkin, "Can a Human Rights Policy Be Consistent?," p. 206.
 19. U.S., Congress, House, Committee on Banking, Finance and Urban Affairs, *U.S. Participation in Multilateral Development Institutions, Hearings before the Subcommittee on International Development Institutions and Finance, 95th Cong., 2nd sess., 1978, p. 330.*
 20. Interview with Elliott Abrams held at Department of State, Sept. 30, 1983.
 21. U.S., Congress, House, Committee on Foreign Affairs, *Human Rights and U.S. Foreign Policy, Hearings before Subcommittee on International Organizations, 96th Cong., 1st sess., 1979, p. 357.*
 22. U.S., Congress, Senate, Committee on Foreign Relations, *Human Rights and U.S. Foreign Assistance: Experiences and Issues in Policy Implementation (1977-1978)*, Report by the Foreign Affairs and National Defense Division, C.R.S., Library of Congress, November 1979, p. 4.
 23. Interview with Mark Schneider held in Washington, D.C., July 21, 1983.
 24. Senate Committee on Foreign Relations, *Human Rights and U.S.*

- Foreign Assistance*, p. 52.
25. Interview with Stephen Cohen held in Washington, D.C., November 14, 1983.
 26. Stephen Cohen, "Wrong on Human Rights," *The New Republic*, March 28, 1981, p. 13.
 27. *Agricultural Trade and Development Assistance Act of 1954, as amended*, (Public Law 480), Sec. 112(a), (7 USC 1712).
 28. Cohen, "Wrong on Human Rights," p. 13.
 29. See, for example, *Christian Science Monitor*, Feb. 13, 1978, p. 28, col. 1; *New York Times*, Feb. 19, 1978, p. 4, col. 1; *Atlanta Constitution*, Feb. 23, 1978, p. 5, col. 1.
 30. U.S., Congress, House, Committee on Foreign Affairs, *Foreign Assistance Legislation for FY1980-1981, Part 7*, 96th Cong., 1st sess., 1979, p. 160.
 31. Cohen interview, Nov. 14, 1983.
 32. Ibid.
 33. Senate Committee on Foreign Relations, *Human Rights and U.S. Foreign Assistance*, pp. 106-107.
 34. Cohen interview, Nov. 14, 1983.
 35. Roger D. Hansen and contributors, *U.S. Foreign Policy and the Third World: Agenda 1982* (New York: Praeger, 1982), p. 166.
 36. National Advisory Council on International Monetary and Fiscal Policies, *International Finance*, Annual Report to the President and to the Congress for Fiscal Year 1978, pp. 351-354; and identically titled volumes: for FY1979, p. 326; for FY1980, p. 341; for FY1981, pp. 361-363.
 37. Hansen, et al, *U.S. Foreign Policy*, p. 162.
 38. National Advisory Council, *International Finance*, FY1979, p. 333.
 39. House Committee on Banking, *U.S. Participation in Multilateral Development Institutions*, pp. 324-325.
 40. Raymond D. Gastil, *Freedom in the World: Political Rights and Civil Liberties 1978* (G.K. Hall & Co.: Boston, 1978). p. 323.
 41. William H. Draper III, President, Export-Import Bank of the United States, to Congressman Martin O. Sabo, June 15, 1983, Files of Congressman Sabo.
 42. Ibid.
 43. House Committee on Foreign Affairs, *Human Rights and U.S. Foreign Policy*, p. 321.
 44. Craig A. Nalen to Congressman Martin O. Sabo, June 15, 1983, Files of Congressman Sabo.
 45. Gastil, *Freedom in the World: 1982*, p. 41.
 46. Senate Committee on Foreign Relations, *Human Rights and U.S.*

- Foreign Assistance*, p. 3.
47. *Washington Post*, Jan. 27, 1977, p. 2; *New York Times*, Feb. 1, 1977, p. 1.
 48. "Vice President Mondale Visits Europe and Meets With South African Prime Minister Vorster," *Department of State Bulletin*, June 20, 1977, p. 662.
 49. *Ibid.* p. 663. The most sensible meaning of this threat was an implicit green light to the Soviet Union to intervene militarily in a future South African civil war, for what other imaginable danger is there about which South Africans might have illusions of American salvation?
 50. Elizabeth Drew, "A Reporter at Large: Human Rights," *The New Yorker*, July 18, 1977, p. 58.
 51. Senate Committee on Foreign Relations, *Human Rights and U.S. Foreign Assistance*, p. 3.
 52. U.S., Congress, House, Committee on Appropriations, *Foreign Assistance and Related Agencies Appropriations for FY1979, Part 2*, 95th Cong., 2nd sess., 1978, p. 449.
 53. For a detailed account of the wrangle between Congress and the Executive over the issue of a boycott of Uganda, see Ralph D. Nurnberger, "The United States and Idi Amin: Congress to the Rescue," *African Studies Review*, Vol. XXV, No. 1, pp. 49-65.
 54. "The Secretary: U.S. Relations with Africa," *Department of State Bulletin*, August 1978, p. 14.
 55. "United Nations: What's Wrong With the UN and What's Right?," *Department of State Bulletin*, Jan., 1979, p. 48.
 56. *Amnesty International Report 1978* (London: Amnesty International Publications, 1979), p. 61.
 57. Cyrus Vance, *Hard Choices* (New York: Simon and Schuster, 1983), p. 451.
 58. "United States Reiterates Support for the Independence of Namibia and Zimbabwe at Maputo Conference," *Department of State Bulletin*, July 11, 1977, p. 60.
 59. *Amnesty International Report 1978*, pp. 68-72, 76-83.
 60. *Ibid.*, p. 91.
 61. *Ibid.*, p. 55.
 62. *Ibid.*, pp. 46-47.
 63. *Ibid.*, p. 49.
 64. Vance, *Hard Choices*, pp. 127-128.
 65. Michael Ledeen and William Lewis, *Debate: The American Failure in Iran* (New York: Alfred A. Knopf, 1981), pp. 146-147; and Interviews with Stephen Cohen, Nov. 7 and Nov. 14, 1983.

66. Senate Committee on Foreign Relations, *Human Rights and U.S. Foreign Assistance*, p. 66.
67. "The Secretary: U.S. Relations with Africa," *Department of State Bulletin*, August 1978, p. 11.
68. U.S., Congress, House, Committee on Foreign Affairs, *Reconciling Human Rights and U.S. Security Interests in Asia, Hearings before the Subcommittees on Asian and Pacific Affairs and on Human Rights and International Organizations*, 97th Cong., 2nd sess., 1982, p. 4.
69. Interview with Mark Schneider, Washington, D.C., Nov. 3, 1983.
70. Senate Committee on Foreign Relations, *Human Rights and U.S. Foreign Assistance*, p. 63.
71. U.S., Congress, Senate, Committee on Appropriations, *Foreign Assistance and Related Programs Appropriations for FY1978*, 95th Cong., 1st sess., 1977, p. 186.
72. U.S., Department of State, *American Foreign Policy: Basic Documents 1977-1980* (Washington, D.C.: G.P.O., 1983), p. 410.
73. U.S., Congress, House, Committee on Foreign Affairs, *Foreign Assistance Legislation for FY1980-1981, Part 4, Hearings before the Subcommittee on Asian and Pacific Affairs*, 96th Cong., 1st sess., 1979, p. 179.
74. House Committee on Foreign Affairs, *Reconciling Human Rights and U. S. Security Interests in Asia*, p. 477.
75. Ibid.
76. Cohen interview, Nov. 14, 1983.
77. Ledeen and Lewis, *Debate*, p. 234.
78. "Tehran, Iran," *Weekly Compilation of Presidential Documents*, Jan. 2, 1978, p. 1975.
79. Senate Committee on Foreign Relations, *Human Rights and U.S. Foreign Assistance*, p. 63.
80. U.S., Congress, House, Committee on International Relations, and Senate, Committee on Foreign Affairs, *Country Reports on Human Rights Practices*, Report submitted by the Department of State, 95th Cong., 2nd sess., Feb. 3, 1978, p. 402.
81. U.S., Congress, House, Committee on House Administration, *The Presidential Campaign 1976*, Vol. 1, Pt. 1, p. 80.
82. "University of Notre Dame," *Weekly Compilation of Presidential Documents*, May 30, 1977, p. 774.
83. U.S., Congress, Senate, Committee on Appropriations, *Foreign Assistance and Related Programs Appropriations for FY1980, Pt. 1, Hearings before the Subcommittee on Foreign Operations*

- Appropriations*, 96th Cong., 1st sess., 1979, p. 731.
84. U.S., Congress, Senate, Committee on Armed Services, *Military Implications of the Treaty on the Limitation of Strategic Offensive Arms and Protocol Thereto (SALT II Treaty, Part 2)*, 96th Cong., 1st sess., 1979, p. 438.
 85. Zbigniew Brzezinski, "Human Rights and American Foreign Policy: A Symposium," *Commentary*, Vol. 72, No. 5 (November 1981), pp. 29-30.
 86. *Ibid.*
 87. See Chap. 2.
 88. "Interview With the President," *Weekly Compilation of Presidential Documents*, July 25, 1977, p. 1028.
 89. "Western Hemisphere: OAS General Assembly Convenes," *Department of State Bulletin*, September 1978, p. 55.
 90. Senate Committee on Foreign Relations, *Human Rights and U.S. Foreign Assistance*, p. 52.
 91. "News Conference, Peking, August 25, 1977," *Department of State Bulletin*, Sept. 19, 1977, p. 371.
 92. "The Secretary: News Conference of December 6," *Department of State Bulletin*, January 1978, p. 20.
 93. House Committee on Foreign Affairs, *Reconciling Human Rights and U.S. Security Interests in Asia*, p. 480.
 94. *Country Reports on Human Rights Practices*, Feb. 3, 1978, p. 324.
 95. "Visit of President Josip Broz Tito of Yugoslavia," *Weekly Compilation of Presidential Documents*, March 13, 1978, pp. 473-476 passim.
 96. "Visit of President Nicolae Ceausescu of Romania," *Weekly Compilation of Presidential Documents*, April 17, 1978, p. 735.
 97. "Warsaw, Poland," *Weekly Compilation of Presidential Documents*, Jan. 2, 1978, p. 1970.
 98. "The President's News Conference of December 30, 1977," *ibid.*, p. 1962.
 99. *Ibid.*
 100. Interview with Hendrik Hertzberg held in Washington, D.C., Nov. 2, 1983.
 101. CBS, "Face the Nation," Dec. 25, 1977.
 102. *Washington Post*, Feb. 6, 1983, p. B7.
 103. Sandra Vogelgesang, *American Dream: Global Nightmare* (New York: W.W. Norton, 1977), p. 38.
 104. " 'People Want to See Coonskins' ," *Time*, April 24, 1978, p. 21.
 105. Senate Committee on Foreign Relations, *Human Rights and U.S. Foreign Assistance*, p. 64.

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106. U.S., Congress, House, Committee on International Relations, *Foreign Assistance Legislation for FY1978, Pt. 1* 95th Cong., 1st sess., 1977, p. 5.
107. Hoffman, "The Perils of Incoherence," p. 479.
108. Lars Schoultz, *Human Rights and United States Policy toward Latin America* (Princeton, N.J.: Princeton U. Press, 1981), pp. 118-119.
109. Senate Committee on Foreign Relations, *Human Rights and U.S. Foreign Assistance*, p. 5.
110. Carter, *Keeping Faith*, p. 277. Emphasis added.
111. Cited in Daniel P. Moynihan, "The Politics of Human Rights," *Commentary*. Vol. 64, No. 2 (August 1977), p. 19.]

SIX Punitive Measures: Origins and Impact

The heart and soul of the Carter human rights policy was the application of punishments to governments found to be violating human rights. According to a Department of State description of the policy: "Finding positive and creative ways to encourage governments to respect human rights is far better than penalizing them for poor performance. But when improvements do not ensue, governments must understand that there are costs to continued repression."¹ In nine cases during the Carter years, the Agency for International Development (AID) reported that it was increasing its programs in individual countries as a reward for good human rights behavior.² The administration was, however, able to find few other "positive and creative" measures, so it gave greater emphasis to punitive ones. Something of the flavor of this approach was captured in a remark one official made to Elizabeth Drew about the experience of the first few months of the human rights policy: "I think that the mulish world has noticed the two-by-four."³ But once it had gotten the mule's attention, the ad-

ministration just kept flailing away at it for four solid years. A fifteen-page "transition" memo prepared to acquaint the incoming Reagan administration with the workings of the "Christopher Group," the main coordinating body for the Carter administration's human rights policy, devoted a single sentence to "positive" inducements, while dealing exhaustively with the meting out of punishments.⁴

THE ROLE OF CONGRESS

One reason why the Carter administration may have found it so difficult to shift from a punitive to a positive approach was that its human rights policy did not begin from scratch. As Under Secretary of State David Newsom put it:

the first thing to keep in mind about the Carter human rights policy is that it was essentially...a congressional policy. What seems so infrequently to be recognized is that by the time Carter took office there was already a considerable body of legislation on the books requiring a consideration of human rights...⁵

Patricia Derian has said much the same thing. "Actually, the whole base of what we do springs from the initiative that the Congress took in '75, '76 and 1977," she testified.⁶

The legislation consisted almost entirely of punitive measures. Congress adopted measures designed to withhold military aid and others to withhold economic aid from governments that violated human rights. Another measure compelled the American representatives on the boards of directors of international financial institutions to vote against loans to human rights violators. Still others restricted the activities of the Overseas Private Investment Corporation (OPIC) and the Export-Import Bank, according to similar criteria. In contrast, a positive measure, a bill introduced by Rep. Dante Fascell(D.-Fla.) to create an Institute for Human Rights and Freedom which would have provided funds to support foreign human rights groups, to publish suppressed materials, to aid the families of victims of political repression

and for other such purposes, withered on the congressional vine.⁷

Hans Morgenthau argued that in the fifties U.S. policy proceeded from the "unexamined assumption" that the infusion into developing countries of U.S. aid would lead to the growth of democratic institutions.⁸ When this hope was disappointed, Congress in the seventies began to act from the equally unexamined and intuitively less-plausible assumption that the same goal could be achieved by withdrawing U.S. aid. This attitude was exemplified by Representative Clarence Long, chairman of the House Subcommittee on Foreign Operations Appropriations, who, in one hearing, asked Secretary Vance, "how will the reduction of assistance solve the problem [of human rights violations]?", and then asked, "won't it take a complete termination of assistance?"⁹ Similarly, in 1976, Congressman Ed Koch, after helping to lead a successful effort to cut off military aid to Uruguay, declared that if Latin American governments that violated human rights "don't get the message, then next year [we'll cut aid] to Nicaragua."¹⁰

What was faintly ridiculous about this was that neither Long nor Koch nor anyone else in Congress ever adduced the least bit of evidence that either reducing or terminating aid ever had the effect of engendering increased respect for human rights, and rarely if ever did any of them even formulate an argument stating why such actions might have that effect. The question is not whether the government of the United States is capable of "imposing" human rights on another country. That, it surely is, if it is willing to involve itself deeply enough, as the experience of Japan and West Germany proves. The question is whether similar results can be achieved by reducing, rather than increasing, American involvement.

Why did Congress seem so indifferent to the question of whether the course it was setting would lead to its ostensible goals? The reason is that much of the motivation behind the human rights legislation had to do with concerns other than the promotion of human rights. The legislation's support

in the Congress, according to Bruce Cameron, the foremost lobbyist of the "human rights movement," consisted at critical moments of a "coalition of new and younger liberals greatly influenced by the anti-war movement and Watergate, and conservative Republicans and Democrats."¹¹ The liberal group was motivated, among other things, by the wish to assert congressional control over foreign policy. As one history published by the State Department put it: "burgeoning public opposition to the war in Vietnam during the 1960s caused Congress to question executive behavior and even to sponsor international activities on its own. The most significant initiative of Congress has been in the field of international human rights."¹² It was also motivated by the wish to reduce the American role in the world. As the Congressional Research Service observed, congressional human rights initiatives "originated during...a period of growing popular disenchantment with an activist U.S. role abroad."¹³

The conservative part of the coalition, on the other hand, was motivated by an eagerness to cut foreign aid on whatever pretext. The coalition's effectiveness reached its high point in 1977 with the passage of an amendment requiring that human rights criteria guide U.S. votes in the multilateral development banks. On that issue, Representatives Tom Harkin and Herman Badillo(D.-N.Y.) and Senators James Abourezk and Mark Hatfield worked in league with Representative John Rousselot(R.-Cal.), a former member of the John Birch Society, to overcome the opposition of a broad band of moderates including the House and Senate leadership.¹⁴

Of course, the coalition also had its limits. The liberal human rights militants¹⁵ were eager to extend human rights criteria to cover the actions of such agencies as the Export-Import Bank and the Overseas Private Investment Corporation, but there was less conservative support for this. These agencies are not primarily in the business of giving aid to foreigners, but of underwriting American business ventures. This activity, unlike foreign aid, was in good favor with most conservative legislators.

The congressional human rights militants, on the other hand, were not entirely dependent on their coalition with the Right. That coalition was effective for placing restrictions on economic aid. In enacting restrictions on military aid they lost the support of the Right, but gained that of a broad spectrum of liberals who are uncomfortable with military aid even where they acknowledge its necessity. In attaching human rights criteria to OPIC, they worked with organized labor which is hostile to OPIC in principle, believing that it encourages the export of American jobs. The varying coalitions succeeded in attaching human rights restrictions to most U.S. aid and trade programs.

THE HUMAN RIGHTS MOVEMENT

The congressional human rights militants were supported by an active lobbying network, referred to often as the human rights movement, or "community," as it was called from within. Its activities were coordinated by the Human Rights Working Group of the Coalition for a New Foreign and Military Policy. The traditional human rights organizations, like Amnesty International, Freedom House, the International Commission of Jurists, and the International League for Human Rights, do not engage in lobbying and participated not at all or only tangentially in the Working Group. Rather, the human rights movement was an outgrowth of the anti-Vietnam War movement, and drew upon the experience and contacts that had been developed in the drives to force a withdrawal of U.S. forces from Vietnam and an end to U.S. aid to the government of South Vietnam.

John Salzberg, chief aide to Congressman Fraser in his groundbreaking hearings on human rights, describes the human rights movement as having had a "very important role" in bringing "knowledge of situations in other countries to counterbalance what we might be hearing from the State Department."¹⁶ Congressman Harkin, the leader of the congressional human rights militants has said: "From the year

I came into office, I saw that the human rights community was very influential in initiating and developing legislation and supporting it with grass roots activity.¹⁷ Lars Schoultz, a scholar sympathetic to this group, points out that "every piece of human rights legislation that passed the Ninety-fourth and Ninety-fifth Congresses (1975-1978) did so with the active support of human rights interest groups."¹⁸ Oddly enough, this "human rights movement," that contributed so importantly to the growth of human rights legislation, is not really in favor of human rights, at least not as that term is understood by most Americans. To put it more carefully, the movement sees "human rights" flourishing in societies where, in the eyes of most Americans, those rights are brutally trampled by Communist dictatorships. This vast discrepancy may bespeak a difference in values, or a difference in perceptions, or both. But whatever its sources, its practical consequence is that when the movement uses the term, "human rights," it often has in mind a set of institutions quite different from those the term connotes to most Americans.

The Human Rights Working Group was founded by Jacqui Chagnon, a member of the staff of a group called Clergy and Laity Concerned. Although its name evokes images of moderate gentility, CALC was not merely antiwar, but dogmatically pro-Hanoi. After Hanoi's victory in 1975, CALC worked to secure American aid for Vietnam and to rebut allegations that the Communist victors were engaged in any human rights violations. (CALC leaders also worked to rebut charges that the victorious Khmer Rouge were committing human rights violations in Cambodia, but they abandoned this argument after the Vietnamese invasion of Cambodia when they were assured by Vietnamese authorities that the Khmer Rouge were indeed guilty.) When, for example, Joan Baez gathered the signatures of other antiwar veterans in an "open letter" to Hanoi charging that "thousands of Vietnamese, many of whose only 'crimes' are those of conscience, are being arrested, detained and tortured in prisons and re-education camps," CALC's co-director, Don Luce, was one of a small group of pro-

Hanoi diehards organized by Corliss Lamont, the old stalwart of the National Council on American-Soviet Friendship, to rebut Baez and defend Hanoi's good name. In their response, Luce, Lamont and their co-thinkers argued that although "some Saigon collaborationists have been detained in re-education centers....On balance....[t]he present government of Vietnam should be hailed for its moderation and for its extraordinary effort to achieve reconciliation among all of its people."¹⁹

For three years after its founding, Jacqui Chagnon served as co-leader of the Human Rights Working Group, leaving that post in 1978 to move to Laos where she and her husband served for three years as field directors for the American Friends Service Committee. Today she is back in Washington where, together with her husband and her old colleague Don Luce, she serves on the staff of the Southeast Asia Resource Center (formerly the Indochina Resource Center), another of the old "antiwar" groups that was and remains militantly pro-Hanoi. There she is spearheading the drive to debunk reports by Laotian refugees of being attacked with chemical weapons known as "yellow rain."²⁰

Chagnon's views, about which she is quite open, are startling, given her pivotal role in the genesis of U.S. human rights policy. In the eyes of most Americans, the Communist governments of Laos and Vietnam rank among the world's worst violators of human rights. Assistant Secretary of State Abrams went so far in releasing the 1982 edition of the Department's annual "Country Reports" to venture the conjecture that Vietnam might be the world's "worst country to live in."²¹ Yet, these same governments have always been viewed by Mrs. Chagnon with a sympathy bordering on admiration. She also believes that "the stereotype that the American press has put on Laos that it's colonized by Vietnam is a stereotype that's incorrect...I think that they influence Vietnam as well as Vietnam influences Laos."²² Laos has few if any newspapers, she says, "because they can't afford it; they only have one printing press in the whole country."²³ Although she complains about the absence

of any constitution in Laos, she says that "village seminars give people a voice....it's a town meeting...which I wish we had more of [in the U.S.] today....This is one way to effectively democratize the system...getting people involved in their system and encouraging them to speak up."²⁴ Also on the question of democracy in the Lao People's Democratic Republic, "What I found," says Chagnon, "is that most of the rich people, not all, didn't like the current government and most of the poor people did. But the majority are poor; therefore the majority do like the current government."²⁵ As for Laotian "re-education camps," Chagnon says: "They simply just took the heavy-duty 'baddies' and put them in remote areas essentially and said 'take care of yourselves.'....I think there was some injustice in [it], I think there was some justice in [it], frankly....Their life is no different from other villages surrounding."²⁶ According to the State Department, 300,000 people, nearly 8 percent of the population, have fled Laos since the Communist victory.²⁷ But according to Chagnon, refugees seeking to come to America are motivated not by the desire to escape repression, but by the desire to escape paying taxes. "They have this conception that we don't pay taxes. In some way the word 'freedom' and the word 'free' got mixed up. So therefore they were blaming their government for making them pay a tax that we would consider wonderful by our standards," she says.²⁸

Chagnon also defends the government of Vietnam for its role in the episode of the flight of the "boat people." The reason for the suicidal exodus, she says, was that Western governments refused to cooperate with the government of Vietnam in organizing an "orderly departures" program. "The problem here is what government was going to accept them; it is not what government was going to let them out," she says.²⁹

In sum, Chagnon looks upon Communist regimes, at least those of Indochina, with an attitude of benevolence, while she views rightist regimes in Asia—those of Indonesia, South Korea, the Philippines—with bitter hostility. Startling as these views are, they are not dissonant with those

of most of her colleagues in the core group of the "human rights movement," at least in its hey-day in the 1970s. This is confirmed by the person who shared with her the leadership of the Human Rights Working Group, Bruce Cameron. Cameron reports that during the main period of the activity of the HRWG, he, too, felt a general sympathy for Communist forces in the Third World. Cameron's attitude on this subject has changed markedly, although he continues to play a leading role in the liberal wing of the Democratic party as a lobbyist on human rights and other issues. Cameron describes the political philosophy of the activist human rights movement this way:

Among the leadership and among the core, it was predominantly, including myself at that time, people who viewed themselves as anti-imperialist. That is, that they saw the world divided between those forces who were struggling to maintain the hegemony of the U.S./free world market economy, with all the relationships that that entailed with the Third World which involved subjugation through various types of mechanisms—that's one side. On the other side were the Third World peoples attempting to become free....

I can remember in that time that one of my lines used to be that I find 80 percent of Soviet foreign policy acceptable and basically on the side that I was on. I don't remember other people saying anything like that, but I remember no dissent.... There was this very strong anti-imperialist view.

The core group clearly thought of the world divided between the evil U.S., the questionable Soviet Union, and the good Third World people....

[The group] had no trouble at all justifying the presence of the Soviet Union in Angola....³⁰

Given views such as these, the inconsistencies in the public posture of the movement are hardly surprising. It

was critical of the Carter administration, says Chagnon, for being insufficiently tough on rightist regimes. "We wanted more aid cut," she says.³¹ On the other hand, as Cameron wrote in 1978, "aid to left-wing governments, particularly Vietnam and Laos is almost uniformly supported by members of the HRWG."³² The aid sought was not merely to meet "basic human needs," but rather, in the words of CALC, "reconstruction aid."³³

These inconsistencies reflected not merely an unconscious outgrowth of the group's attitudes, but an explicit policy decision. Cameron reports that "the agreements made at the beginning of the Human Rights Working Group [were] that Human Rights Working Group would not touch either the Soviet bloc or the Middle East, the Soviet bloc because they were regarded as on the side of the 'good guys' and the Middle East because various groups for one reason or another didn't want to go after the Middle East. It was a way of preserving the coalition."³⁴

The most important implication of Chagnon's views and Cameron's statement is that they show that in promoting, lobbying for, and indeed in initiating and writing much of the human rights legislation, the movement was after something quite different from what most of the public and the Congress thought was the purpose of the legislation. To the latter groups, the purpose was to bring to bear greater American pressure in order to induce other countries to adopt what were essentially American values. But "human rights," as the term was understood by the movement, was antithetical to American values, and American influence was seen as the chief *obstacle* to achieving human rights. In the eyes of the movement, the purpose of legislating cuts in U.S. aid was not to bring greater American pressure to bear, but rather to sever the bonds of U.S. influence so as to improve the prospects for victory by the forces of liberation. "The motive was that if you cut the link...then you create more space for the revolutionary Third World people to assert their right to self-determination," says Cameron; the purpose was not, he says, to force existing governments to liberalize.³⁵

It would of course be mistaken to assume a perfect correspondence between the objectives of the movement and the effects of the legislation it generated or supported. What motivated the representatives and senators who voted for the human rights amendments was not in most cases identical to what motivated the activists, and although the movement achieved impressive victories, the legislation often fell short of the movement's goals. Bruce Cameron, though disavowing his own previous goals, still believes that the legislation is valuable and constructive, albeit in part because it is not enforced with the rigidity that he once favored. There is little doubt, however, that the movement's influence was substantial.

In sum, the human rights legislation of the 1970s was the product of many factors that had little to do with human rights. Among them were the desire of some conservatives for another tool with which to chip away at foreign aid, the desire of the "movement" to reduce U.S. interference with the process of Third World "liberation," and, above all, a yearning, evident both in Congress and in public opinion, for a reduction in America's involvement in the world in the wake of our debacle in Vietnam. Indeed the very first "human rights" amendments were designed to cut off U.S. aid to South Vietnam for human rights abuses by its government. There was little if any pretense that the purpose of these amendments was to enhance respect for human rights; the purpose was to end U.S. participation in the war. If there was any uncertainty on this score, it has been cleared up by the fact that although Hanoi's victory has resulted in a reign of tyranny in South Vietnam far more brutal than anything that preceded it,³⁶ this has stimulated very little response from the Congress.

THE ADMINISTRATION AND CONGRESS

Because of these origins, the human rights legislation focused primarily on cutting U.S. aid, with little considera-

tion given to whether this would in fact serve to enhance respect for human rights. Some of this legislation was already on the books when Carter took office; more was passed while he was in office. It was a major factor in guiding the administration's human rights policy toward heavy reliance on punitive measures. As Deputy Assistant Secretary Mark Schneider put it when asked about this reliance: "There's a law. You have to obey the law. The law requires you to make certain judgments."³⁷

But Schneider's response is too facile. "The Ford Administration," said a report by the Congressional Research Service, "took the position that any cut in aid made on the grounds of human rights would be counterproductive,"³⁸ and it found ways to circumvent and resist congressional pressure for such cuts. Carter, on the other hand, was far more than a passive executor of congressional mandates. As one State Department publication put it: "With the inauguration of President Carter, the full power of presidential leadership was thrown into the struggle for human rights worldwide, and an era of renewed and heightened emphasis on human rights in American foreign policy began."³⁹ And much of the same impulse that had underlain congressional actions now guided the administration's human rights policy. Not only was the impulse the same, but so were many of the key actors, as is best exemplified by Schneider, himself, who came to the State Department's human rights bureau after having worked on the issue for Senator Kennedy, a leader in the passage of human rights legislation.

The administration's attitude toward the human rights legislation was ambivalent. Deputy Secretary Warren Christopher said that he found the "broad range of statutes which restrict the flow of economic and military assistance to countries with serious human rights problems" to be "very helpful in administering the human rights policy of the administration."⁴⁰ But Jessica Tuchman, the person who was in charge of human rights issues on the National Security Council staff, says that the administration would have preferred to have more maneuvering room than it felt

the legislation gave it. She says:

Congress had gotten into the mode vis-a-vis the previous administration...of feeling that...without pushing and forcing, the administration would do nothing....We were saying to Congress: "Hey, you're dealing with a different administration now. We want to take the initiative. You don't have to force us and lock us in with these amendments." But it takes a long time in a collective body like that for the view to get reversed....It was very hard to both have what was a tough and aggressive policy that was flexible and sophisticated, on the one hand, and also have these inflexible legal requirements.⁴¹

The key word here is "flexible." The administration rarely if ever disagreed with the approach embodied in the legislation or with the kinds of sanctions imposed, but it wanted the freedom to exercise its own discretion in applying the sanctions. This on one occasion led Congressman Long to complain: "I think you want to keep the leverage in your own hands....You crack down on Nicaragua after you lobbied Congress not to do anything about Nicaragua."⁴²

The instance to which Long referred was only one of several in which the administration opposed moves in Congress to add further layers of human rights legislation. This allowed Carter to respond to those questioning the judiciousness of his policy by claiming that "my own attitude on the human rights question has been fairly moderate....some members of Congress would go much further than I."⁴³ There was some truth to this, but the issue was not really one of "moderation"; it was one of flexibility and prerogatives. The Congress wanted to assert its authority over foreign policy, while the administration wanted to remain free to conduct its diplomacy on a day-by-day basis, hampered as little as possible by congressional restrictions.

Patricia Derian, speaking about the restrictions the administration imposed for human rights reasons on foreign aid, said: "We have also gone beyond the strict requirements of this legislation. Some countries with serious human rights problems might not technically fall within the language

'consistent pattern of gross violations.' Nevertheless, we have tried to make sure that our assistance levels reflect their human rights performance."⁴⁴

Thus, the Carter administration and the Congress, while wrestling with one another over turf, were working in tandem in carrying out the idea that cutting aid to governments that violate human rights is in itself a beneficial policy. The president declared in his first foreign aid message to the Congress: "We are now reforming the policies which have, on occasion, awarded liberal grants and loans to repressive regimes which violate human rights."⁴⁵ Yet the administration no more than the Congress seems to have paused to ask itself or to examine whether such an approach actually serves the cause of human rights. That it does is far from self-evident. Arguably the greatest victory for human rights in this century, perhaps in all history, was the defeat of Hitler. This victory was in significant measure attributable to the copious amounts of aid given by the United States to the government of Stalin, the one other tyrant in modern history who deserves to be ranked alongside Hitler in the annals of butchery. Had we in 1941 reformed our policies so as to prohibit aid to repressive regimes, we might today be living in the fourth decade of the "thousand-year Reich."

Of course the circumstances of 1941 were extraordinary, but the example suffices to prove that the value of cutting aid to violators must be examined, not assumed.

EFFECTIVENESS

The first question to ask is whether such measures appear to have achieved their goal. Have they brought about improvements in observance of human rights in those countries to which they have been applied?

Most close observers believe that they have not. The Congressional Research Service studied the effects of U.S. human rights policy on fifteen countries and reached this conclusion: