

A Paradigm Shift in American Foreign Policy

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Human rights is at present a much discussed issue in American foreign policy. What has not been discussed is the extent to which this represents a major change in American foreign policy. Consider: In 1974 the Secretary of State devoted exactly one sentence to human rights in his speech to the United Nations General Assembly. In 1975 there were four paragraphs of fairly standard rhetoric, apart from the proposal to establish a U.N. study to determine how widely torture was used as an officially sanctioned instrument of government. In addition there was an intimation of change in this sentence: "There is no longer any dispute that international human rights are on the agenda of international diplomacy." Yet there was then no evidence that Secretary Kissinger had changed the approach characterizing his tenure in office; namely, that American foreign policy cannot concern itself with the domestic policies of the governments with which it deals, even if they entail gross violations of human rights. We can, he insisted, only use private methods of persuasion and pressure. Foreign policy deals with the foreign policies of governments.

This attitude was consistently applied to our relations with countries in which violations of human rights could have been an issue; with Brazil, Pakistan, Greece, and, most important, with the USSR. To take one example, in late 1973, when civil liberties groups were pressuring the Government to act on reports of brutalities in Chile, the U.S. ambassador responded on the narrowest of realpolitik grounds: If Chile did not do something about the two missing Americans, Chile's access to military assistance might be affected in Congress. Humanitarian questions were scarcely raised. Those who took human rights seriously in the State Department were given extremely little chance of affecting policy. Although papers were drafted, there was scarce optimism that criteria could be developed that applied to the conduct of our policy toward a government on the basis of its human rights record.

In the spring of 1976 Kissinger made a series of policy statements that were in sharp contrast to the Government's former position. In Lusaka, in Santiago, and in London, human rights became "centrally important," "one of the most compelling issues of our times." Violations of human rights in Chile were denounced as a blot on the Organization of American States. Kissinger's speech to the OAS on human rights acknowledges that mechanisms for action on violations of human rights are weak and undeveloped; but for the first time the American Government is taking seriously the possibility that the situation can be changed. These statements are significant to individual human rights; they identify the consciousness of human community with a "shared concern for human rights." Kissinger specified those violations of human rights that stimulate general disapproval in the world community: "genocide, officially tolerated torture, mass imprisonment or murder, or comprehensive denials of basic rights to racial, religious, political or ethnic groups." He proposed no dramatic new ideas for exercising sanctions against governments that practice these violations, but he did ask for an increased budget for the Inter-American Commission on Human Rights and a broadening of its mandate to include regular reports on the status of human rights throughout the Hemisphere without the current obligation to wait for complaints. He made it clear, however, that violations of human rights by a government would *alone* be sufficient cause for a change in U.S. policy toward that state. This policy, if executed, will take our foreign relations in a significantly new direction.

This new policy does not spring full blown from the Secretary's head. It is not a partisan creation. The Secretary of State is required under the 1976 Security Assistance and Arms Export Control Act to submit reports to Congress on the observance of human rights in all countries for which security assistance is proposed. If it is determined that a "consistent pattern of gross violations of human rights" exists, security assistance to the offending country must be

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terminated unless "extraordinary circumstances" can be proved to warrant a continuation. The Act explicitly envisages and requires a systematized consideration of human rights issues in the formulation and implementation of security assistance programs. The same Act upgrades the Office of Coordinator for Human Rights and Humanitarian Affairs. The Coordinator is now to be appointed by the President with the advice and consent of the Senate.

The Security Assistance Act deals with human rights in the negative aspects: prohibitions upon governments from taking certain actions against their peoples. There has been a parallel change in our Agency for International Development program to deal with individual human rights in their positive—and more recently defined—aspects: the rights of individuals to the essentials of human well-being. The AID is operating under a Congressional mandate to fund projects that will aid the poorest 40 per cent of the world's population, with special attention given to projects in countries which *themselves* pursue domestic policies of development in the poorest section of their populations. This is a shift in emphasis from aid to countries to aid for people. Considering the source of the shift to human rights, a Democratic Congress, there is good reason to assume that attention to human rights will become a nonpartisan feature of our foreign policy.

If talk of human rights has so greatly intensified over a short period of time, why hasn't this change been more explicitly recognized, especially in view of the almost constant call for and discussion of a "new" foreign policy consensus? Human rights is the "new" element in foreign policy; yet we don't hear proposals for basing a new foreign policy consensus on human rights. Apart from a possible lack of commitment of the Secretary of State to his own rhetoric, I believe the reason human rights has "slipped in" so quietly is that it has been confused historically with support for the principle of national self-determination. Support for the principle of national self-determination has, in turn, been steadily eroded by its application to the "new" nationalisms in the developing world and its use as a justification for our war in Vietnam. I believe this erosion does not mean the loss of a fundamental ideal but rather that popular support for the principle of national self-determination has always been, at its root, support for the principle of individual self-determination, that is, for individual human rights. Until these principles are clearly distinguished, consensus on human rights cannot be articulated convincingly.

The second difficulty in postulating support for individual human rights as a basic tenet of a new foreign policy consensus is that, even after distinguishing it from support for national self-determination, a popular recommitment to human rights can shape two very different foreign policies.

Support for national self-determination as a fundamental of American foreign policy has always been curiously unconvincing, more honored in the breach than in the observance. An analysis of

American foreign relations over the last thirty years makes it clear that for foreign policy professionals this principle has always been primarily a tactic in the war against communism. In recent times, even when an issue seemed only tenuously or ambiguously related to the East-West conflict (as in Bangladesh, Eritrea, or the Spanish Sahara), the policy judgment was always made in relationship to our "pure" power interests. The principle of self-determination apparently had no extra weight on the balance scales of decision-making. In Vietnam the reiteration of our commitment, bolstered in international law, to the principle of "helping people choose for themselves without outside interference," was chiefly directed to an international audience. Domestically, the moral argument was attached to the principle of individual human rights that communism denies, not to national self-determination. It was this genuine American ideal that made it necessary to hold "free" elections in South Vietnam, although they were irrelevant to an essentially military situation. Behind the dubious propaganda value of these elections lay a genuine American belief whose constant validation was necessary to maintain the old foreign policy consensus: that all people want to determine their own future, both individually and nationally, and therefore could not choose communism, which denies them the democratic institutions, especially free elections, that to Americans are the only effective mechanisms for such self-determination.

This identification of support for human rights and support for national self-determination in the foreign policy consensus was a natural result of the international situation at the close of World War II. It was at this time, rather than during the period of its formulation decades earlier, that the principle of national self-determination commanded broad public support. This was also the period when self-determination seemed the most useful tactic to "contain" the spread of communism. There was a perceived linkage connecting the process of a people determining its future, delineating the proper unit of sovereignty, maintaining and spreading democracy as a political system, and the interests of the United States in international power politics.

The most highly publicized developments in the post-war world seemed to confirm this theory. The fate of Eastern Europe was especially clearcut. Was it not obvious that if Czechoslovakia's people were given their free choice they would throw off the Russian yoke and become a democratic system allied with the Free World? The successive uprisings in East Germany, Poland, and Hungary confirmed the linkages. The American conscience was troubled when we did not intervene in uprisings in these countries, but belief in the accuracy of the theory was not shaken. We remained convinced of the overwhelming imperative of defeating communism, and equally convinced that to accomplish this goal our foreign policy should everywhere work to create the conditions in which people could freely choose their national future.

This freedom of choice—the right to contribute to and to reject decisions affecting your own future—is what most Americans understand as individual self-

determination. Under this definition human rights seemed coterminous with national rights. Hungary, "she," had the right to decide not to remain under Russian domination, in an analogue to the individual's right to reject his own government. Our interest in nationalism was predicated on its being individual self-determination writ large. Our commitment on the individual level to elections as the only method for exercising freedom of choice found an equivalent on the level of nations in the United Nations-sponsored plebiscite.

In Eastern Europe, beyond the reach of U.N. plebiscites, the theory could not be applied effectively. In the areas emerging from colonial domination the theory did not even provide an accurate analysis of conditions. But if the professionals realized the subtler problems involved in these areas, they kept their doubts to themselves as they scrambled to find non-Communist nationalist movements to support. The public at no point was given reason to doubt the validity of fostering nationalism as a means of containing communism. This explains American slowness to grasp the fact that new nations were not going to develop into Western-style democracies after an appropriate period of tutelage. Instead, in their overwhelming concern to protect themselves from tutelage, in their newborn weakness, the new nations developed two strategies: On the one hand, they created supranational institutions like the Organization of African Unity; on the other, they insisted on the inviolability of their colonially imposed illogical boundaries. Resistance of the new nations to outside influences upon political change has left Americans looking like helpless observers of the internal coups and popular revolutions whose course communism has always seemed more able to manipulate effectively. In short, it became increasingly unclear to the public how support for national self-determination has been to our advantage.

But the inadequacies and ineffectiveness of the old foreign policy consensus was fully realized only in the wake of our defeat in Vietnam. A nationalistic communism had defeated us. The linkages between national self-determination, democracy as a political system, and advantage to the United States in international politics were broken, leaving few Americans unconvinced of their inability to understand the world or provide a basis for acting in the world. The ground is shifting and cracking beneath the old foreign policy consensus. Free elections appear meaningless, abnormal, even inimical to U.S. interests.

Our security blanket, "no freely elected Communist governments," was almost snatched from us in the 1976 Italian elections. Actually, it would not matter in which direction a Communist Italy might go—all the possible directions would challenge American beliefs. If a Communist government maintained democratic institutions, it would throw into question the American belief that our system was the best guarantor of individual liberties. If, on the other hand, a Communist government suppressed democratic institutions, it would be depressing confirmation of a decline of democracy in the world. Political

developments in India are subject to a similar gloomy analysis. On the surface at least all that has happened in the world in the wake of the Vietnam war confirms our disenchantment with a theory created by events following World War II: Nationalism is in the self-interest of the United States.

If the theory owed its longevity and power to an accidental confluence of events, and never explained very well our policy or our international politics, then its erosion should be welcomed. Indeed, if it is misconceptions about the nature of the new nationalism we think we are discarding, a new popular consensus should be the better for it. Owing, however, to the entwining of human rights and national self-determination in the foreign policy consensus, the discard of one could drag down the other, or retaining the rhetoric of commitment to national self-determination could obscure a real popular commitment to human rights. As a third (and perhaps most likely) possibility, there are signs that the public will force an explicit recognition of its concern on its leaders. For example, public reaction to the Presidential campaign's foreign policy debate demonstrated popular interest, not in whether Yugoslavia, Rumania, or Poland could determine their national future free from Soviet coercion, but whether individual Rumanians, Yugoslavs, or Poles could enjoy political freedoms vis-à-vis their own governments.

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Assuming this emerging concern for human rights becomes generally recognized as the new factor in our foreign policy consensus, it may be defined in two quite distinct ways with very different consequences for our foreign policy. The human rights issue can nestle equally well within two separate worldviews that historically have moved American foreign policy: universalism and parochialism.

In the parochial view of the world the American experience is unique, and its uniqueness lies especially in our democratic institutions, our "special" rights, our civil liberties. This view may be traced back to the Founding Fathers' insistence that Americans enjoy what they conceived of as the traditional and very specific rights of Englishmen. The War for Independence was primarily fought to reclaim these rights. This view

regards the rest of the world in a pessimistic light; few peoples are accorded the virtues necessary to claim and keep these individual human rights. Consequently, to be apathetic or truculent toward political development abroad is "realistic." On this assumption the United States will always be threatened; no military posture can ever be strong enough.

The second worldview could be formulated as an optimistic assertion of the universal applicability of the American experience, especially in its insistence on individual human rights. This view also traces its lineage to the Founding Fathers, most of whom believed with Jefferson in "innate elements of the human constitution," in "justice as the fundamental law of society," and that the "whole world will, sooner or later, feel benefit from the issue of our assertion of the rights of man." On this assumption, our security lies at least partly in the effectiveness with which we use our power to mold the emerging institutions of interdependence to protect human rights and promote individual well-being. This also means we have a real interest in supporting those nations most responsive to the political and social rights of their own populations. This approach links our security to the attention we give also to human rights within the United States.

It should be noted that "liberal internationalists" tend to define human rights somewhat differently from others. They de-emphasize political rights as expressed by democratic institutions and emphasize social rights: the right to food, to health, and so on. It is possible that such a de-emphasis stems from a secret pessimism about the future of democratic institutions—also in America. That pessimism, I believe, undermines the attempt to create a foreign policy consensus based on its worldview. Such internationalism, however, is preferable to the first approach, mentioned above, with its logic of inevitable confrontation with most of the nations of the world.

A foreign policy that defines all issues in terms of hanging on to what is "ours" and is responsive to human rights only in "special cases" is likely to have the following features: first, resistance to the demands of developing countries for a redistribution of wealth; second, denial of increasing grants of authority to international institutions and a slowing of the tempo of American participation in international negotiations; and, third, the vigorous defense of our interests, militarily if necessary: If we play the international game with these ground rules, it is not too far-fetched to imagine the United States, some years from now, in the international position presently occupied by South Africa.

One can too easily forget that it took a concerted campaign, over time, by the Third World countries to have the South African policy of apartheid declared a threat to international peace and security, no longer an "internal matter" over which the U.N. would have no jurisdiction. Likewise, American economic hegemony, colonial intransigence on an issue like the Panama Canal, real or imagined activities of the CIA, all could be defined as threats to international peace and security.

Resolutions could be adopted in the forums of international organizations (from some of which we might have withdrawn) of increasing harshness. The majority against us would still be powerless to execute the resolutions; nevertheless, those resolutions would have the effect of legitimizing the use of force against the United States. In that climate an escalation of terrorist acts would not only be possible but probable, moving from attacks on our diplomats abroad to attacks on our politicians at home. Our response to these acts would further escalate the violence. Domestic public opinion, convinced of the unfairness of the attacks on us, could well be led to the "brink."

These events are not likely to take place, but they are implicit in a disillusioned and truculent foreign policy combining the principle of "we aren't going to let them take it away from us" with the limited concept and applicability of human rights. Narrowing our traditional concern for human rights will have the effect of restricting the defense of our interests to economic and military means. It precludes the use of our strongest defense in the age of nuclear stalemate: our ideals. The real dialectic behind American foreign policy has always been our passion for human rights as *universally desirable* and our passion to protect the material fruits of our specifically American experience. To unbalance the process in favor of the second of these leads inevitably to the support of those governments and institutions least likely to "take it away from us," usually repressive governments of the Right. *In this process support of democratic principles becomes what support for national self-determination became, an occasionally useful tactic in the war against communism, nothing more.* Only this time around it's an occasionally useful tactic against practically everybody.

We do not have to project ourselves into a besieged future to judge how unsuccessful a foreign policy based on these assumptions would be. We have seen already an example of these "principles" in action. In Chile we actively counseled and desired the overthrow of democratic institutions. In such a jettisoning of our ideals the chickens could only come home to roost (and very nearly did). It is impossible to run a foreign policy on a double standard in a world in which the boundary between international and domestic politics becomes ever more indistinct and the ideological component of power ever greater. It is not so much a question of arguing the accuracy of an analysis of the worldwide retreat of democratic institutions as it is a rejection of a foreign policy that makes of that retreat a self-fulfilling prophecy.

To say that subverting democratic institutions in order to fight communism is a dead-end policy is not to deny the reality of our ideological conflict with communism. The North-South "cold war" is not replacing the other cold war. It is an additional mountain in the international political topography. Traditional concerns of American foreign policy are just as useful in tackling the climb, as long as we are certain of what our traditional concerns are; human rights may turn out to be the grappling hooks that are needed, not the extra baggage some think we are carrying.

The American mood of disillusionment is a perfectly appropriate response to the policies that produced Vietnam. It is disillusionment with the way a perfectly defensible principle—national self-determination—was used to execute our anti-Communist goals. But if it is correct that the foreign policy consensus will consequently reflect a shift from the principle of national self-determination to human rights, it is well to sound a note of caution. While "Africa for the Africans" may lead no American foot soldier into combat, there is a clear commitment by the Africans themselves to the principle of self-determination, as there is in other parts of the Third World. There is no reason for the principle of national self-determination not to remain important in American foreign policy. In the long run support for the principle may do what it originally was intended to do. After all, the Africans are not happy at the continued presence of the Cubans in Angola. That self-determination, in whatever confused form, is a fundamental American ideal and not a Communist one may account for the comparative failure of Russia to maintain its influence in developing countries. But quite apart from our concern with communism, the effectiveness of our continued support for new nationalisms will be directly related to the sincerity with which we exercise it. The more disinterested our application, the more it will be in our self-interest.

Shaping a new foreign policy consensus on a reappraisal of the principle of national self-determination and on a more sophisticated analysis of development in the new nations is not likely, however, to be effective domestically. Domestically, an *affirmative* foreign policy consensus can be articulated around a new commitment to human rights; not replacing the search for a "stable world order" or a "structure of peace," but providing the essential ground for the realization of these goals and the moral enthusiasm they are unable to provide. The importance of human rights, whether interpreted parochially or universally, whether with emphasis on political liberties or on social rights, is recognized across the political spectrum.

If such a consensus is to be solidified, pragmatic Americans need to be reassured that there are *effective* ways to act on their ideals. They need to know that such action is absolutely essential if the current mood of disillusionment is not to result in a real break in the traditions behind our conduct of foreign policy. The alternative is a situation in which Vietnams and Chiles become commonplace perversions of the ideals and practice of their country's foreign policy.

What is needed already exists in large part: a broader understanding of the concept of human rights, one that may include newer rights such as the right to food, to medical care, to an unpolluted environment. Secretary Kissinger has experimented with a new and broader definition of human rights, accepting "that human beings are the subjects, not the objects, of public policy, that citizens must not become mere instruments of the state." This leaves open the possibility of citizens' participation in the political process in ways not specifically those of Western democracies. One cannot, for

example, tell a disillusioned public that they will see in developing countries the growth of a two-party system. But this broader conception of human rights, which will seem like a "sell out" to the conservative constituency, need not mean a dilution of American emphasis on political liberty, on the rights of citizens *against* their government. However we expand and adjust our concept of human rights in formulating a new foreign policy consensus, the greatest agreement could be summoned for a reaffirmation of the specifically American (Anglo-Saxon) emphasis on political liberty, and for optimism about the spread of these values.

The strategy suggested is, I believe, realistic. It is not helpful, for example, to lecture Americans about their values, telling them they must change in response to Third World demands for a redistribution of wealth. It is helpful to do some basic reeducation about the connections between human rights and human needs. The old rhetoric had a way of setting rights and needs in tension, if not in actual opposition. For example, it is said that a hungry, sick man cannot be expected to care about political rights, but will care when he is economically secure. I doubt that many Americans have confidence in that proposition. Connecting human rights and human needs will be more convincing when we spell out the ways in which transfers of technology, to take one instance, help people help themselves and thus remove a threat to the United States; or when it is pointed out that there can be trade-offs between "negatively" defined political rights and "positively" defined social rights. This assumes that positive social rights can be defined—although it has not been done very much or very well—within our tradition of rights as "liberties." An example that approaches this redefinition is U.N. Ambassador Scranton's recent statement, "We must defend our ideal of liberty for the sake of economic development itself. We must insist again and again on what we have learned from our own economic history: that liberty is the spur to economic development, not its enemy."

I do not propose quixotic enterprise. There are developments in the world favorable to such a spread, developments that the disillusioned eye may not see.

Americans are so accustomed to action that the idea of affecting a thing without acting on it seems unconvincing. Nevertheless, it is evident that we are spreading our political message every day, unself-consciously, in what we do domestically. We may never again be the world's policeman, but never has the world been more our stage. It is not too much to say that Watergate has been a school for politics for every junior functionary and every young journalist in every developing country, a riveting drama of the power of the people and the rule of law. On the whole the world probably accepts America's own assessment of this episode as a strengthening of our constitutional and democratic practices.

The drama continues to develop as the public insists on freedom of information to control intrusions and excesses of the government bureaucracy. The crusade is

carried into the business world with exposures of corruption that reverberate in capitals throughout the world and which cause *change*: a former Japanese prime minister arrested; a prince in the Netherlands disgraced; competing sets of regulations for transnational corporations devised.

Another individual human right whose recognition has spread enormously—in this case only partly from the United States—is the right not to be discriminated against on the basis of race. At the time of World War II a large percentage of the world's governments were specifically and avowedly racist, both in benign and malignant varieties. In 1976, even in South Africa a conference of one branch of the Dutch Reformed Church issued antiracist statements opposing the policy of apartheid.

The movement for women's rights, originating in America in its "new wave," may yet prove to be of the most dramatic importance in the growth of the protection of human rights. Governments in developing countries that have supported the movement as a necessary precondition for economic growth will find no convenient line to draw between what is useful for the government and what the individual will claim as a right. Inevitably, there will be a new vitality attached to the phrase "self-determination."

If we do not understand the importance of our example in determining international frames of reference, if direct action is our only measure of influence, we can make too much of our inability to influence change in the world. This pessimism extends also to the interpretation of our actions and is exacerbated by the nature of the communications media. A failure in Mideast negotiations is dramatic; the long-term effect of shuttle diplomacy on the conduct of international relations is not. Yet this shuttle diplomacy, epitomizing as it does the American pragmatic approach of cajole, wheedle, and compromise, has spread its venue from the Mideast to Southern Africa. It is a startling and significant development, even if it is not easily packaged for public recognition.

In a similar manner, the difficulties of reporting the intricacies of international institution-building obscures from the public, and perhaps from professional view, the ways in which we can influence and shape this process in the light of our traditional values. Whatever the difficulties of dramatizing those long-term processes and their actual and potential successes, there are more highly visible developments helping to formulate a new foreign policy consensus based on human rights.

It is important, for example, to come to the defense of the Helsinki Declaration, signed in 1975 by thirty-two European nations, Canada, and the United States. That document was much criticized in the U.S. for giving concrete advantage to the Soviet Union by recognizing

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existing boundaries in Europe, while the "basket three" clause about respecting human rights and freedoms seems to be disregarded and unenforceable. Even in the standard realpolitik rhetoric of these criticisms, what we were actually giving up was unclear. No one could really suggest how we were going to forcibly change those borders, in any event. On the other side, despite differing Western and Eastern interpretations of the clause, the flow of information and people across borders has increased. Holding the Soviet Union to its "promises" has been a useful instrument of international pressure on the Soviet Union's policies toward its dissidents. More important is the shift of terms in which international relations are discussed, the precedents established. The Helsinki Agreement *does* oblige states to do things that are strictly internal; to: "respect human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief, for all without distinction." It is a new departure for such a document to concern itself with limiting the rights of signatory governments with respect to their own populations, even when the same document may confirm the territorial legitimacy of "unjust" governments. To overstate: It is, again, as if we had given up on the principle of national self-determination as a way to channel change in "our" direction but have not yet fully realized how effective the principle of human rights will become.

A democratic nation acts more effectively, more in its self-interest, to the degree that its policies are congruent with the deepest traditions and beliefs of its citizens. There is and always should be a "moral" element in foreign policy. In the present groping for consensus, a foreign policy that projects hope about the growth of the protection afforded human rights will find a resonance in the beliefs of most Americans. Motored by this creative impulse, United States foreign policy need not find itself blindly resisting change in the world, but can itself initiate changes that can be supported by Americans and by all peoples who are, as it used to be said, of good will.