

‘With Friends Like These’:
Human Rights, Neoconservatism and U.S. Foreign
Policy from Carter to Reagan.

Tempe McMinn

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ABSTRACT

This thesis engages with two emerging bodies of scholarship: the history of human rights and the history of U.S. neoconservatism. It begins with an exploration of the genesis of the contemporary international human rights movement, arguing that human rights as we know and understand them today were a product of the latter half of the twentieth century. Their path, however, was not a clear one. The emergence of neoconservative ideology in U.S. domestic politics would greatly impact upon the trajectory of the human rights movement under the presidencies of Jimmy Carter and Ronald Reagan. The latter period witnessed a conflict between America's Watch and the Reagan administration over human rights as an 'idea' and as *praxis*, with U.S. policy towards Latin America as the primary battle field

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Introduction

Of Struggles and Conflicts: History, Human Rights and U.S. (Neo-)Conservatism

It does no service to the cause of human rights to disguise the struggles and conflicts of interest that accompanied their emergence into the international arena. On the contrary, a better understanding of that story, their relationship to prior rights regimes, and their dependence on the international balance of power may help us to recognize their true weight and worth.¹ – Mark Mazower

The history of the international human rights movement and the history of U.S. conservatism are both relatively new fields of historical study. This thesis delves into both. Firstly, it is a study of the trajectory of the international human rights movement and the ‘struggles’ that brought human rights into being as we know and understand them today. Secondly, it examines the ‘conflicts of interest’ that brought them from the periphery of politics, to the very heart of global rhetoric. At the heart of the following narrative is the battle between America’s Watch and the Reagan administration over the ‘idea’ of human rights, a battle that exposed the tension between human rights as law and human rights as morality. It is also about their application in *praxis*. The Reaganite neoconservative conception of human rights, and its application in Latin American foreign policy, is the focal point of my analysis. Guiding this thesis is an interest in the struggle for hegemony over human rights discourse: what context they are invoked in, and why.

¹ Mark Mazower, ‘The Strange Triumph of Human Rights, 1933-1950,’ *The Historical Journal*, vol. 47, no. 2 (2004), p. 398.

Human rights are extraordinary in that they are perhaps the ‘ultimate empty signifier.’² As while the idea itself carries great import and levity, what they actually mean differs from one person to the next. This is equally true for their study.³ Currently there are two main schools of thought on the history of human rights, one stressing continuities and the other discontinuities. On the one hand, scholars that highlight continuities often expound a teleological view of rights that explain human rights in evolutionary terms. This view constructs a genealogy of traditional political and legal ideas and of present day human rights discourse. Such a view is typified by Paul Gordon Lauren’s *The Evolution of International Human Rights: Visions Seen*.⁴ On the other hand, scholars argue that ‘Human Rights’ as it is understood today was a phenomenon of the second half of the twentieth century, and that whilst the concept of ‘rights’ has a long history, the notion of ‘human rights’ was used at the most sporadically until the 1940s and did not gain serious traction as a movement until the 1970s. Such a view stresses discontinuities and critiques the narrative version of much human rights scholarship, positioning human rights as a political ideal that is historically contingent. Samuel Moyn’s *The Last Utopia: Human Rights in History* is a leading example of the emphasis on discontinuity and contingency.⁵ This thesis will draw heavily from this second school of thought.

Whilst there has been increasing interest by historians in human rights, the growth of non-governmental organisations (NGOs) in the process has been left largely unexamined. There are a number of notable exceptions. These include the works by Tom Buchanan and Barbara Keys who have published histories of Amnesty International, and by Sarah Snyder,

² Kenneth Cmiel, ‘The Emergence of Human Rights Politics in the United States,’ *The Journal of American History*, vol. 68, no. 3 (Dec., 1999), p. 1248.

³ For an informative historiographical essay on the history of human rights, see: Kenneth Cmiel, ‘The Recent History of Human Rights,’ *The American Historical Review*, vol. 109, no. 1 (Feb., 2004), pp. 117-135.

⁴ Paul Gordon Lauren, *The Evolution of Human Rights: Visions Seen*, 3rd Ed. (Philadelphia: University of Pennsylvania Press, 2011).

⁵ Samuel Moyn, *The Last Utopia: Human Rights in History* (Cambridge, Mass.; London, England: The Belknap Press of Harvard University Press, 2010).

who has recently written a study on the development of human rights activism and the Helsinki Accords.⁶ Scholarship on Human Rights Watch is virtually non-existent, the exceptions being William Korey's cursory analysis in *NGOs and the Universal Declaration of Human Rights: A Curious Grapevine* and a descriptive article by Bruce Montgomery on the Human Rights Watch archives.⁷ That being said, there is a considerable literature in the fields of political science and international relations dealing with the role of NGOs and other trans- and international networks of human rights activism and politics. The work of Margaret E. Keck and Kathryn Sikkink is particularly illuminating in that it provides a conceptual framework in which to locate the development of Human Rights Watch as a part of a transnational advocacy network.⁸

This thesis will also engage with a sub-field of history in its infancy – the history of US conservatism, with particular attention given to the history of neoconservatism. Until recently, the history of American conservatism has been largely ignored. *The Conservative Intellectual Tradition Since 1945*, published almost thirty-five years ago by George H. Nash, remained unchallenged in its reign as an accepted understanding of the development of conservatism.⁹ Nash is widely described as ‘the Conservatives’ historian,’ and an

⁶ Barbara Keys, ‘Anti-Torture Politics: Amnesty International, the Greek Junta, and the Origins of the Human Rights “Boom”,’ in *The Human Rights Revolution: An International History*, Petra Goedde, William Hitchcock, and Akira Iriye, eds. (Oxford: New York; Oxford University Press, 2012); Tom Buchanan, ‘Amnesty International in Crisis, 1966-7,’ *Twentieth Century British History*, vol. 15, no. 3 (2004), pp. 267-289; Tom Buchanan, ‘“The Truth Will Set You Free”: The Making of Amnesty International,’ *Journal of Contemporary History*, vol. 37, no. 4 (2002), pp. 575-597; and, Sarah B. Snyder, *Human Rights Activism and the End of the Cold War: A Transnational History of the Helsinki Network* (New York: Cambridge University Press, 2011).

⁷ William Korey, *NGOs and the Universal Declaration of Human Rights: A Curious Grapevine*, 1st Palgrave Ed. (New York: Palgrave, 2001); Bruce Montgomery, ‘The Human Rights Watch Archives,’ *Peace Review*, vol. 14, no. 4 (2002), pp. 455-463. Also, Yves Dezalay and Bryant Garth, touch on Human Rights Watch in their piece, ‘From the Cold War to Kosovo: The Rise and Renewal of the Field of International Human Rights,’ *Annual Review of Law and Social Science*, vol. 2, no. 1 (Dec., 2006), pp. 240-244. Also, William Korey devotes a chapter to the Ford Foundation’s involvement in Human Rights Watch in *Taking on the World’s Repressive Regimes: The Ford Foundation’s International Human Rights Policies and Practices* (New York: Palgrave Macmillan, 2007), pp. 89-118.

⁸ Margaret Keck and Kathryn Sikkink, *Activists Beyond Borders: Advocacy networks in international politics* (Ithaca, N.Y.; London: Cornell University Press, 1998).

⁹ George H. Nash, *The Conservative Intellectual Movement in America Since 1945* (New York, 1976). For more on the historiography of US conservatism, see the essay by Donald T. Critchlow, ‘Rethinking American Conservatism: Toward a New Narrative,’ *The Journal of American History*, vol. 98, no. 3 (Dec., 2011), pp. 752-

unabashedly conservative political activist: his intellectual career steeped in, and supported by, the ‘conservative counterculture’ in which his work is rooted.¹⁰ Thus, it is unsurprising that his histories are often ‘hero narratives.’ His account of Reagan’s contribution to the movement is illustrative of this. In the essay ‘Ronald Reagan’s Legacy and American Conservatism,’ Nash portrays Reagan as an ‘emblematic and ecumenical’ conservative who brought together all five conservative ‘impulses’ simultaneously.¹¹ The emphasis on ‘fusion’ is characteristic of this style of conservative history – one that presents a homogenous and triumphalist narrative of American conservatism. And while there is no doubt that Reagan was seminal figure in the movement, there is far more nuance to the movement than Nash would have one believe. As Jason Stahl notes in a review of Nash’s 2009 volume of essays titled *Reappraising the Right: The Past, Present & Future of American Conservatism*, that: ‘Every movement needs a movement historian and Nash performs this role dutifully.’¹² Thus, there is much room for development within the field.

There are a few histories of the movement that provide the nuance that has been noticeably absent from much conservative historiography. The most impressive is Justin Vaisse’s *Neoconservatism: The Biography of a Movement*.¹³ In focusing on a particular strain of conservatism, Vaisse reveals the complexity of a political movement that is far from homogenous. He identifies three ‘ages’ of the neoconservative movement: the ‘First Age’ of ‘Liberal Intellectuals in Dissent,’ the ‘Second Age’ of ‘Cold War Democrats in Dissent,’ and

755. Critchlow argues that any understanding of the American conservative movement ‘must acknowledge that conservatism and liberalism have changed over time... and any understanding of conservatism needs to be framed within a context of liberal politics,’ p. 754. Also, Kim Phillips-Fein provides a detailed historiographical analysis in the essay ‘Conservatism: A State of the Field,’ *The Journal of American History*, vol. 98, no. 3 (Dec., 2011), pp. 723-743. She notes that one of the major ‘dilemmas’ of writing about US conservatism is that of definition (p. 727), and also questions the dominance of a triumphalist narrative that focuses on the ‘successes of the Right’ (p. 740), particularly in histories of the Reagan era.

¹⁰ Jason Stahl, ‘Review of Nash, George H., *Reappraising the Right: The Past & Future of American Conservatism*,’ H-1960s, H-Net Reviews (March, 2011), <http://www.h-net.org/reviews/showrev.php?id=31209>, last accessed 17 May 2012.

¹¹ Ibid.

¹² Ibid.

¹³ Justin Vaisse, *Neoconservatism: The Biography of a Movement*, trans. Arthur Goldhammer (Cambridge, Mass.; Belknap Press of Harvard University Press, 2010).

the ‘Third Age’ of ‘National Greatness Conservatives.’¹⁴ It is Vaisse’s interpretation that informs much of the second chapter of this thesis as he presents a convincing and nuanced argument about the fraught politics underlying Reagan’s presidential victory, and the political theorists who would inform his policies. There is much debate within the field as to what degree Reagan was a true ‘neoconservative.’¹⁵ This debate is one that will not be engaged in this thesis. Instead, this will be an examination of the relationship between two processes: the emergence of neoconservatism and its role in the formulation and implementation of United States foreign policy, and the development of international human rights discourse and activism. In doing so I hope to shed new light on what was a transformative time for both the international human rights movement and the American political landscape.

Chapter One of this thesis provides the context for the contemporary international human rights movement. In it, it will be argued that human rights as they are understood today were a product of the latter half of the twentieth century. The 1940s saw the movement from collective minority rights to individual rights that would facilitate the drafting of the Universal Declaration of Human Rights, issued in 1948. This however, would be a ‘strange triumph’ for human rights as although they received much attention, the Universal Declaration lacked any positive legal value and consequently remained largely unenforceable.¹⁶ The onset of the Cold War and wars of decolonisation ensured that human rights were sidelined as a global priority. It would not be until the 1970s that human rights

¹⁴ Vaisse, *Neoconservatism*, p. 1.

¹⁵ See, for example, Stefan Halper and Jonathan Clarke, ‘Neoconservatism is Not Reaganism,’ *The American Spectator*, vol. 37, no. 3 (Apr. 2004), pp. 20-24; and, Tamar Jacoby, ‘The Reagan Turnaround on Human Rights,’ *Foreign Affairs*, vol. 64, no. 5 (Jul., 1986), pp. 1066-1086. Also, Vaisse talks of the fine line walked by Reagan and the ‘neoconservatives,’ arguing that while Reagan had ‘neoconservative sensibility,’ he also had other ‘imperatives.’ This would become increasingly evident during his second presidential term, when he began to stray from the hardline policies and rhetoric that characterised his first term toward a more conciliatory approach to foreign policy. See: Vaisse, *Neoconservatism*, pp. 195-200.

¹⁶ Mazower, ‘The Strange Triumph of Human Rights, 1933-1950,’ *The Historical Journal*, vol. 47, no. 2 (2004), p. 398. One notable exception being the 1950 European Convention on Human Rights. For more on the European human rights regime see: Mikael Rask Madsen, ‘From Cold War Instrument to Supreme European Court: The European Court of Human Rights at the Crossroads of International and National Law and Politics,’ *Law and Social Inquiry*, vol. 32, no. 1 (Winter, 2007), pp. 137-159.

would be permanently revived and thrust into the heart of global rhetoric. The ‘enforcement revolution’ of this period, facilitated by revolutions in communications and travel, saw activist networks proliferate, and the international human rights movement bloom.

Chapter Two of this thesis deals with the politics of anti-politics as played out under Jimmy Carter and Ronald Reagan. It explores how US foreign policy pundits appropriated human rights discourse resulting in its decoupling from its traditional grounding international law. This significantly impacted the trajectory of the international human rights movement. Fundamental to understanding the new direction human rights took is the machinations of US politics at this time. It was Jimmy Carter, with his promise to morally transcend politics, who would bring human rights to the fore and gave the ‘idea’ unprecedented exposure. Carter’s inability to translate rhetoric to policy, however, led to his loss of the presidency in 1980. Reagan achieved the policy crystallisation that Carter lacked. ‘Democracy promotion,’ would be a core tenet of the Reagan administration’s foreign policy throughout his two terms to largely devastating effect, as human rights were transposed into the realm of morality.

Chapter Three of this thesis deals with the consequences of Reagan’s victory for human rights as an ‘idea’ and as a movement. Through an investigation of the Reagan administration’s approach to human rights in its foreign policy it will be argued that they acted as ‘surrogate villains.’¹⁷ The policy of ‘democracy promotion’ ideologically justified the support of right-wing autocratic regimes for the Reagan administration. A case in point will be their application of foreign policy in El Salvador. As the El Salvadoran Civil War fell victim to the East-West matrix that dominated US foreign policy in the Reagan era. However, as the Reagan administration insisted on framing their policies in human rights discourse they

¹⁷ Aryeh Neier, *Taking Liberties: Four decades in the struggle for rights* (New York: PublicAffairs, 2003), p. 220.

became increasingly rhetorically entrapped.¹⁸ America's Watch would play a principle role in holding the Reagan administration to account. The battle over words and deeds that ensued significantly impacted upon the trajectory of human rights discourse and activism.

In sum, this thesis is an investigation of what was a profoundly transformative time for two seemingly autonomous processes: the international human rights movement and the emergence of American neoconservatism.

¹⁸ Nicolas Guilhot, 'Limiting Sovereignty or Producing Governmentality? Two Human Rights Regimes in U.S. Political Discourse,' *Constellations*, vol. 15, no. 4 (2008), p. 502.

Chapter One

A Human Rights ‘Revolution’?

A Short History of the Contemporary Human Rights Movement

...things can be, and quite frequently are, contingent without being random, accidental or arbitrary.¹⁹

– Susan Marks.

The General Assembly proclaims this Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction. – Preamble, *Universal Declaration of Human Rights*, 1948

In this chapter, it will be argued that human rights as we conceive of them today were a product of the latter half of the twentieth century, as it was only in the final years of the Second World War that human rights as individual rights was proposed. The idea of an individual rights regime culminated in the 1948 Universal Declaration of Human Rights. This was more a ‘strange triumph’ than a ‘human rights revolution,’ as the Universal Declaration lacked positive legal value, and was therefore largely unenforceable.²⁰ Moreover, the achievements of the 1940s were rapidly eclipsed by the onset of the Cold War and wars of decolonisation. It would take the ‘enforcement revolution’ of the 1970s to truly embed human rights into the heart of global rhetoric.

¹⁹ Susan Marks, ‘Human Rights and Root Causes,’ *The Modern Law Review*, vol. 74, no. 1 (2011), p. 74.

²⁰ Mazower, ‘The Strange Triumph of Human Rights, 1933-1950,’ p. 379.

Talk of rights has a long and often fractured history. The idea of individual human rights as we understand them today, however, was a product of the latter half of the twentieth century. The 1940s saw collective minority rights supplanted by the idea of individual human rights. Although many refer to this period as a ‘Human Rights Revolution,’ the revolution would not be fully executed for decades to come. Instead, human rights would achieve, to borrow from Mark Mazower, a ‘strange triumph,’ in the face of a new world order that did not want to entirely abandon the old ways.²¹ State sovereignty and empire would remain key considerations. And, as the newly formed United Nations would find, this meant that the enforcement of the Universal Declaration of Human Rights would be problematic. The rapid onset of the Cold War, coupled with the wars of decolonisation, overshadowed the achievements of the 1940s. As while human rights talk did not wholly disappear, it was primarily localised as alternate agendas were prioritised. It would not be until the 1970s that the ‘human rights revolution’ would culminate. The communication and enforcement revolutions, driven by the rapidly developing activist network, would provide the movement with the impetus it lacked in the 1940s. The changing nature of activism would have a lasting effect on the international human rights movement. As the field was professionalised, credibility, neutrality and impartiality would become hallmarks of the movement that had gained a permanent place on the international agenda.

The 1940s heralded what many have called a ‘Human Rights Revolution.’²² Although rights talk had been around in various incarnations for centuries, human rights as we know and understand them today were borne of this period. Most notably, the 1940s saw the move from collective and minority rights to individual rights. The framing of human rights as

²¹ Ibid.

²² G. Daniel Cohen, ‘The “Human Rights Revolution” at Work: Displaced Persons in Postwar Europe,’ in Stephan-Ludwig Hoffmann ed., *Human Rights in the Twentieth Century* (New York: Cambridge University Press, 2011), p. 48; See also, *The Human Rights Revolution: An International History*, Petra Goedde, William I. Hitchcock, and, Akira Iriye, eds. (Oxford; New York: Oxford University Press, 2012).

individual rights was a novel development for internationalists. The minority rights regime had been particularly problematic – as the ashes of the League of Nations would attest – and was something that none of the victors in 1945 desired to revive post-war.²³ Individual human rights were a more plausible option for the Great Powers as a universal minority rights policy would compromise almost all involved.²⁴ Particularly the Big Three, as they retained domestic policies and practices – the racial policies of the United States, the colonial practices of the British, and the Soviet expulsion of ethnic Germans from Central and Eastern Europe – that would contravene any such regime. Individual rights were attractive as they simultaneously provided a new focus for post-war rights talk, and quietly allowed for collective rights to be swept under the carpet. The assumption was that if individual rights were secured, by extension, so too would the minority rights regime that dominated the first half of the twentieth century. As Mark Mazower has noted, ‘the minorities treaties themselves were not so much terminated as allowed to die an unlamented death.’²⁵ Individual human rights talk found its way onto the international stage as the Allies attempted to paint a new, positive picture of the world post-war and sweep minority rights under the carpet.²⁶

As World War II came to an end attention turned to the new international organisation: the United Nations.²⁷ By 1945, the time of unrivalled European dominance of world politics had come to an end and there were many interests at play. The predominance of the US and the USSR was now unquestionable and their rivalry intensifying. Furthermore,

²³ For more on minority and collective rights, see: Mazower, ‘The Strange Triumph of Human Rights, 1933-1950,’ pp. 397-398; Mark Mazower, *Dark Continent: Europe’s Twentieth Century* (New York: Vintage Books, 2000), especially chapter 2; and, A. W. Brain Simpson, *Human Rights and the End of Empire: Britain and the Genesis of the European Convention* (New York: Oxford University Press, 2004), particularly chapter three for pre-War minority rights and the League of Nations and chapter seven for the decision by the UN to abandon minority rights.

²⁴ Mazower, ‘The Strange Triumph of Human Rights, 1933-1950,’ p. 387.

²⁵ *Ibid.*, p. 390.

²⁶ Jan Eckel, ‘Human Rights and Decolonization: New Perspectives and Open Questions,’ *Humanity*, vol. 1, no. 1 (Fall, 2010) p. 111.

²⁷ For more on the creation of the United Nations Organisation see: Mark Mazower, *No Enchanted Palace: The End of Empire and the Ideological Origins of the United Nations* (Oxford; New Jersey: Princeton University Press, 2009).

the rising tide of anticolonial forces and the increasing number of newly independent states in the United Nations meant that there were more agendas to be reckoned with. The twentieth century had seen not only an expansion of the nation-state, but also the preservation of the sanctity of state sovereignty and imperial designs. Interestingly, in the 1944 Dumbarton Oaks draft of the UN Charter there was no provision regarding human rights included. Rather, it was the Latin American and western NGOs who were mainly responsible for their inclusion at the 1945 San Francisco conference. During the conference, when the issue of human rights as a central tenet of the objectives of the United Nations was brought up there was little objection to the notion itself. Instead, the concern was with the binding nature of the statement of the ideal, rather than the ideal itself. In the negotiations for the Universal Declaration of Human Rights, it was state sovereignty that would prove a sticking point as the new world order clung on to old ways.²⁸

Enforceability had been a mortal issue for the League of Nations; it was yet to be seen if it would prove any different for the newly established United Nations. It was no secret that it was highly unlikely any of the power-brokers in 1945 would to agree to a statement of human rights that was binding. As British Foreign Officer Charles Webster pointedly noted in 1945, ‘Our policy... is to avoid a “*guarantee* of human rights” though we might not object to a declaration.’²⁹ Thus, it is fair to say that concessions were made when the Universal Declaration of Human Rights was finally issued in 1948. Most notable was the resolution that States should ‘promote’ and ‘strive’ to ‘achieve’ the standards set by the thirty articles – although they were not bound to abide by them by any measure.³⁰ The reality was that it was

²⁸ Moyn notes in his book *The Last Utopia*, that ‘the Allies meant for the basic principles of postwar international organization to be perfectly compatible with empire,’ p. 44.

²⁹ Charles Webster quoted in Mazower, ‘The Strange Triumph of Human Rights,’ p. 392. The British would subsequently push for a binding UN human rights convention, although it would lack effective measures of implementation. See: A. W. Brain Simpson, *Human Rights and the End of Empire*, especially chapter’s seven and eight.

³⁰ United Nations General Assembly, ‘Preamble,’ *Universal Declaration of Human Rights* 10 December 1948, 217 A (III), <http://www.unhcr.org/refworld/docid/3ae6b3712c.html>, last accessed 21 May 2012.

little more than its title suggested – a declaration – albeit, one bathed in idealism and sentiment. Ultimately, the Universal Declaration lacked positive legal value.³¹ Thus, whilst the 1940s certainly marked an impressive moment for human rights, the ‘revolution’ was never fully executed. With the exception of the 1950 European Convention on Human Rights, the international community had failed to give the movement teeth in the form of enforceability through their reluctance to create a binding statement of human rights that was supported by a system of liability or accountability for non-conforming states. The suggestive nature of the Universal Declaration meant that in reality, states could act as they please with little or no consequence. It would take another few decades for the ‘revolution’ to be complete. Meanwhile, the new individual rights regime of the United Nations would benefit from their abstractness and ambiguity as it enabled them to be embraced on an international level – irrespective of their lack of enforceability. As G. Daniel Cohen has highlighted, the success of human rights in the 1940s owed to the fact that they did not, in any fundamental way, challenge the nation-state or world-order.³² Therefore, the 1940s marked not so much a revolution, but rather a ‘strange triumph’ for human rights as a global idiom if not a practice.³³

Furthermore, the Cold War and wars of decolonisation would quickly overshadow the achievements of the 1940s. By the early 1950s, Cold War rivalries were ensuring that the cooperation of the 1940s would not be replicated. The UN also found itself being utilised as an arena for the airing of grievances and competing interests. Cold War warriors and seekers of independence alike were increasingly employing human rights discourse as a weapon in

³¹ Michael Cotey Morgan, ‘The Seventies and the Rebirth of Human Rights,’ in *The Shock of the Global: the 1970s in Perspective*, ed. Niall Ferguson et. al. (Cambridge, Mass.: Belknap Press of Harvard University Press, 2010) p. 238.

³² Cohen, ‘The “Human Rights Revolution” at Work,’ p. 60.

³³ Mazower, ‘The Strange Triumph of Human Rights,’ p. 379.

their respective campaigns within the channels of the UN.³⁴ Whilst both the Cold War and wars of decolonisation were being fought on many fronts, claims of human rights abuse carried weight – for those looking to upstage a competing hegemon or seeking colonial emancipation, rights talk was particularly effective. Despite this, escalation of the Cold War meant that the focus on human rights questions was short lived. The price of peace was accepting communist rule, as challenging the Soviets could upset the delicate balance of power between Washington and the USSR.³⁵ As competition spread across the globe, Washington was increasingly willing to support autocratic right-wing regimes – particularly in Latin America and Africa – with questionable human rights records, all in the name of the fight against communist expansion. This would prove a hot issue for the human rights movement in the 1980s. The momentum of the human rights movement of the 1940s had, for the meantime, fallen victim to Cold War considerations.

As Jan Eckel has argued, the question of the presence of human rights discourse in anticolonial movements is a ‘question of proportions.’³⁶ On a local level, human rights talk was not central to the movement. For many seeking emancipation, the language of rights often did not translate locally.³⁷ On an international level, however, human rights assumed a more prominent role. For many pan-continental alliances, such as the Africans and Asians, human rights discourse served as an effective vehicle through which to legitimise their claims for independence and critique the practice of colonial rule on the international stage.³⁸ As Fabian Klose notes, ‘anti-colonial movements were effectively utilizing human rights

³⁴ For more on the Cold War deadlock in the UN see Roger Normand and Sarah Zaidi, *Human Rights at the UN: The Political History of Universal Justice* (Bloomington, Ind.: Indiana University Press, 2008), particularly pages 197-200.

³⁵ Morgan, ‘The Seventies and the Rebirth of Human Rights,’ p. 240.

³⁶ Eckel, ‘Human Rights and Decolonization,’ p. 115.

³⁷ For example, see Marks, ‘Human Rights and Root Causes,’ pp. 73-4.

³⁸ Eckel, ‘Human Rights and Decolonization,’ p. 113. For more on human rights and decolonisation, Roland Burke, *Decolonization and the Evolution of International Human Rights* (Philadelphia, Penn.: University of Pennsylvania Press, 2010), particularly chapters one and two. Also see, Lauren, *The Evolution of International Human Rights*, pp. 232-238.

documents as a moral basis to force the colonial powers increasingly into the dock of world opinion.³⁹ For this reason, Third World enthusiasm for human rights reached its highpoint in the 1950s.⁴⁰ Human rights, however, were more a tool in, than a central ideological concern of, the anticolonial movement. This would become increasingly evident as those who had effectively utilised human rights discourse in the UN to name and shame oppressors, would become equally proficient in blocking debate on abuses and crimes committed by post-colonial states.⁴¹

The 1970s marked a watershed moment for the international human rights movement, a moment that would culminate in the manifestation of human rights as we know and understand them today. Facilitated by a growing dissatisfaction with the effectiveness of the UN and the impotence of the international community to act decisively on human rights issues, human rights was revived in the 1970s in an unprecedented way. The proliferation of communication technology, globalism, and the international media had created a more porous understanding of international boundaries. Domestic issues in faraway places were now beamed directly into the living rooms of a public that was increasingly less apathetic to human rights issues.⁴² The civil rights movements of the 1960s had had an impact, as had the Vietnam War, decolonisation, and growing awareness of the Holocaust. Many now associated silence with complicity, and so in the West there was a growing sense of moral responsibility for the actions, or inaction, of one's government.⁴³ The grassroots activism of the 1960s (such as the letter writing campaigns of Amnesty International) had demonstrated for many that they, as an individual, could make a difference. The Western public were

³⁹ Fabian Klose, "'Source of Embarrassment': Human Rights, State of Emergency, and the Wars of Decolonization," in Stephan-Ludwig Hoffmann ed., *Human Rights in the Twentieth Century* (New York; Cambridge University Press, 2011), p. 257.

⁴⁰ Roland Burke, "'The Compelling Dialogue of Freedom': Human Rights at the Bandung Conference," *Human Rights Quarterly*, vol. 28 (2006), p. 961.

⁴¹ Eckel, 'Human Rights and Decolonization,' p. 121.

⁴² Morgan, 'The Seventies and the Rebirth of Human Rights,' p. 250.

⁴³ Keys, 'Anti-Torture Politics,' p. 203.

increasingly demanding the enforcement of human rights *beyond* national borders.⁴⁴ Human rights had entered popular discourse and truly become a global concept: they were no longer the exclusive domain of international diplomacy.

Enforceability had always been an issue for rights talk of any kind – and the post-war human rights movement had been no exception. The 1970s, however, saw an explosion of non-state actors. In particular, non-governmental organisations (NGOs) who took on the task of enforcement where governments would not. This ‘enforcement revolution,’ as G. Daniel Cohen has coined it, was the impetus the movement had direly required.⁴⁵ Operating on the periphery of politics, NGOs rejected traditional politics instead opting for innovative ways to pressure key persons or governments to adhere to the codes of conduct that many had ratified but ignored nonetheless. The communication revolution meant that activists could now communicate not only more quickly, but also cheaply. Additionally, the commercialisation of air travel meant that activists could go on fact-finding missions with far more frequency at a fraction of the cost.⁴⁶ This, coupled with the explosion of the global media, meant that human rights issues and abuses could be catalogued, documented and broadcast with far more accuracy and efficiency, moving information to places where significant pressure could be placed to effect change. As Kenneth Cmiel argues, for the new breed of NGOs ‘theirs was a politics of the global flow of key bits of fact’ – human rights politics became a politics of information and images that was neither localised nor contextualised.⁴⁷ The liquidity of the human rights ideal meant that it operated and was implemented as a form of ‘anti-politics.’⁴⁸ Such an interpretation embodied the liberal notion of human rights as something natural and

⁴⁴ Stephan-Ludwig Hoffmann, ‘Introduction: Genealogies of Human Rights,’ in *Human Rights in the Twentieth Century*, Stephan-Ludwig Hoffmann, ed. (New York; Cambridge University Press, 2011), p. 19.

⁴⁵ Cohen, ‘The “Human Rights Revolution” at Work,’ p. 50.

⁴⁶ Morgan, ‘The Seventies and the Rebirth of Human Rights,’ p. 240.

⁴⁷ Cmiel, ‘The Emergence of Human Rights Politics in the United States,’ p. 1232-33.

⁴⁸ The Amnesty International of the 1960s presents a good example of this kind of human rights ideal in operation. See Moyn, *The Last Utopia*, pp. 132-33.

innate: a limit to, rather than an element of, the political sphere.⁴⁹ Inherent within this conception was the assumption that human rights themselves were not political. The international human rights movement in the 1970s was based on a form of ‘moral interventionism’ whereby governments were pressured to match their words with their deeds by groups operating on the periphery of politics.⁵⁰ This conception would prove problematic for the movement. Although it did result in the globalisation and popularisation of language of human rights, and a plethora of activists and NGOs willing to enforce compliance.

Central to the moral interventionism of the 1970s was a transformation in the nature of activism and its funding. A fundamental element of being ‘non-government’ was a detachment from centralised forms of power, particularly the state. The 1960s, however, had seen a number of the major NGOS, such as Amnesty International and the International Commission of Jurists, fall victim to scandals that threatened the credibility not only of the organisations, but of the movement in general. In 1966, Amnesty International was accused of being infiltrated by British intelligence and receiving British Government funds. At the centre of the crisis was Amnesty International’s founder and president, Peter Benenson, who had facilitated the receipt of government funding in a ‘covert and unattributable’ manner for some of its humanitarian projects.⁵¹ The scandal broke and cost Benenson his job, but did not cause any lasting damage to Amnesty International’s international reputation. This was largely due to professionalisation of the organisation in the mid-1960s. Key to this was the pioneering by Amnesty International investigators of a new way of reporting human rights abuses. Through fastidious research and fact-finding missions, followed up with regular and accurate reporting, Amnesty International had positioned itself as the international leader in

⁴⁹ Guillhot, ‘Limiting Sovereignty or Producing Governmentality?’ p. 502.

⁵⁰ Eckel, ‘Human Rights and Decolonization,’ p. 130.

⁵¹ Buchanan, ‘Amnesty International in Crisis, 1966-7,’ p. 267-8.

the field. Thanks to its reputation for accurate, neutral and autonomous reporting, the resignation of Benenson seemed to remedy a potentially irredeemable situation.

The professionalisation of the human rights movement in the late-1960s and early-1970s revolutionised the nature of human rights activism. It was through the reporting system pioneered by Amnesty International that governments were increasingly being held accountable for their actions. Amnesty International's country reports were used in many cases of human rights abuses. A notable early case was the use of Amnesty International's 1967-8 reports on the use of torture in Greece in the Council of Europe that led to its expulsion from the Council in 1969.⁵² Such reporting would become a core tenet of human rights activism and remains so today. However, unlike Amnesty International, the International Commission of Jurists found that their Cold War affiliations were not so easy to side step. One of the first post-war NGOs, the International Commission of Jurists was established, initially at least, to solely serve U.S. Cold War interests. It was funded entirely by the CIA, and was staffed by CIA recruits.⁵³ As such, the International Commission of Jurists was limited by its reputation as a Cold War political vehicle. It would take a complete renovation of its operations and objectives to recover from the 1967 revelations of its symbiotic relationship with the CIA.⁵⁴ Credibility had become crucial for the success of activists and NGOs. And as Susan Marks has noted, credibility could only be gained and maintained through a commitment to a 'neutral, impartial and non-political' activist model.⁵⁵

The professionalisation of the human rights movement had other implications. Whilst the activism of the 1960s was characterised by grassroots activism and mass movements, the 1970s saw a contraction in the way activists agitated for change. It was becoming

⁵² See Ann Marie Clark, *Diplomacy of Conscience: Amnesty International and Changing Human Rights Norms* (New Jersey: Princeton University Press, 2001), pp. 39-43, for a discussion of the impact of Amnesty International in the Greek Case.

⁵³ Dezalay and Garth, 'From the Cold War to Kosovo,' p. 234.

⁵⁴ *Ibid.*, p. 237.

⁵⁵ Marks, 'Human Rights and Root Causes,' p. 57.

increasingly apparent that the mass mobilisations that characterised the activism of the 1960s were no longer necessary to effect change. As Kenneth Cmiel explains, equally, if not more effective, was the ‘post-populist’ strategy of ‘third-party influence.’⁵⁶ Through lobbying of elites by professional activists, pressure was being placed on those in power to effect change from the top. Similarly, NGOs were finding new ways of raising funds other than fundraising appeals to members. Large philanthropic funds were becoming increasingly responsive to human rights causes – and, convincing a committee of a large fund was more lucrative than a fundraising drive among a supporter database.⁵⁷ Consequently NGOs were finding it easier to exist and grow without a massive support base. As such, a new breed of small, professionalised NGOs with access to the elite and halls of power was born.

Meanwhile, the Cold War was still being waged – and human rights was to be pushed to the fore once more. In 1975, after three years of negotiations at the Conference on Security and Cooperation in Europe (CSCE), the Helsinki Final Act was signed.⁵⁸ Emerging from the context of detente, there were thirty-five signatories to the Act that contained ‘confidence-building’ agreements on political borders, trade, movement of people, the military, and human rights norms.⁵⁹ Again, principles concerning human rights – Principles VII: ‘Respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief’; and, VIII: ‘Equal rights and self-determination of peoples’ – were conceded only with the inclusion of a principle of ‘non-intervention in internal affairs.’⁶⁰ Following the precedent set by their experience in the UN, the signatories – particularly the USSR – assumed that the human rights clauses, as Tony Judt wryly observed, were simply

⁵⁶ Cmiel, ‘The Emergence of Human Rights Politics in the United States,’ p. 1240 and 1242.

⁵⁷ *Ibid.*, p. 1244.

⁵⁸ Sarah B. Snyder has an informative chapter on the CSCE negotiations in her book *Human Rights Activism and the End of the Cold War*, pp. 1-15.

⁵⁹ Sarah B. Snyder, “‘Jerry, Don’t Go’: Domestic Opposition to the 1975 Helsinki Final Act,” *Journal of American Studies*, vol 44, no. 1 (2010), p. 67. Also, for an in depth account of the Helsinki process, see Daniel Thomas, *The Helsinki Effect: International Norms, Human Rights, and the Demise of Communism* (New Jersey: Princeton University Press, 2011).

⁶⁰ Thomas, *The Helsinki Effect*, p. 71.

‘diplomatic window dressing, a sop to domestic opinion’; and would be, as the Universal Declaration had been, largely unenforceable.⁶¹ How wrong they would prove to be. The signing of the Helsinki Final Act would have consequences unforeseen by all. Upon signing the agreement, US President Gerald Ford stated that: ‘History will judge this Conference, not by what we say here today, but by what we do tomorrow – not by the promises we make, but by the promises we keep.’⁶² The advent of the enforcement revolution within the international human rights movement would provide the structures, mechanisms, and personnel that would ensure that promises were kept.

This was no more evident than in the Soviet Union. The Moscow Helsinki Watch Group was established on 12 May 1976 with the distinct purpose of ensuring Soviet compliance with the principles of the Helsinki Accords. As whilst the non-interference clause prevented other states from monitoring domestic happenings, there was no such clause preventing internal monitor groups. The Moscow Helsinki Watch consisted of a group of veteran Soviet dissidents – Ludmilla Alexeyeva, Andrei Sakharov, Elena Bonner, Aleksandr Ginsburg, Vitaly Rubin, and Anatoly Shcharansky – headed by Yuri Orlov, who declared it necessary to publicly announce human rights conditions in the USSR according to the obligations set out in the so-called ‘Third Basket’ provisions of the Helsinki Final Act. Their activism would inspire a revival of Soviet dissident and human rights movement that had suffered as a result of the repression of the early 1970s.⁶³ Within the year, two more Helsinki Watch Groups had founded within the USSR – Ukrainian Helsinki Watch Group and the Lithuanian Public Group to Promote the Observance of the Helsinki Accords – and by the end of 1977 Helsinki Watch Group’s had established in Georgia and Armenia. Communist leaders had unwittingly created a breach in their defences.

⁶¹ Tony Judt, *Postwar: A History of Europe Since 1945* (Penguin Group: London, 2005), p. 502.

⁶² Snyder, “‘Jerry, Don’t Go’”, p. 79.

⁶³ Thomas, *The Helsinki Effect*, p. 161-2.

Through emphasising Helsinki as a source of international legitimacy for their regime, the Soviet leaders had opened themselves to public pressure and scrutiny, both at home and abroad.⁶⁴ The Helsinki network that developed within the USSR would have a profound influence on the dissidence of the following decade. Furthermore, the networks developed by the Helsinki groups would not remain a domestic affair. Although the Soviet authorities responded to the increased dissent with what Daniel Thomas has called ‘unprecedented tolerance,’ that is, they were allowed for a short time to exist, the ‘tolerance’ would not last. By the turn of the decade, most of Moscow Helsinki Watch would be charged, jailed, or exiled.⁶⁵

In response to this crackdown on dissident activity in the USSR, Robert Bernstein, head of publishing company Random House, together with civil libertarian Aryeh Neier and prominent lawyer Orville Schell Jr., established a U.S. Helsinki Watch Committee.⁶⁶ Aided by a \$US500,000 grant from the Ford Foundation, the U.S. Helsinki Watch Committee was established as an ‘independent, non-governmental organization composed of a representative group of private US opinion leaders’ with the express charter to promote and monitor compliance with the ‘human rights provisions of the 1975 Helsinki Accords,’ and to provide ‘moral support for the activities of the beleaguered Helsinki monitors in the Soviet bloc.’⁶⁷ Central to their focus on the Soviet bloc was an emphasis on civil and political rights, particularly freedom of expression, freedom of movement, and the right to travel. Campaigns

⁶⁴ Judt, *Postwar*, p. 503.

⁶⁵ For example: Aleksandr Ginzburg and Anatoly Scharansky were found guilty of treason and jailed in 1978. Nobel Laureate, Andrei Sakharov would be exiled to Gorky in 1980, without trial. See: Files of Jeri Laber, Series I, Box 1, folder 67, file ‘1975-1982’; And, as Neier attests, ‘by 1982, arrests had virtually wiped out the Moscow Helsinki Group as well as Helsinki organizations formed in other parts of the Soviet Union that monitored human rights in their regions.’ Neier, *Taking Liberties*, p. 157.

⁶⁶ Neier, *Taking Liberties*, p. 149.

⁶⁷ Thomas, *The Helsinki Effect*, pp. 151; and, U.S. Helsinki Watch Committee, ‘Letter to President Jimmy Carter,’ Files of Jeri Laber, Series I, Box 1, Folder 67, File “USSR: US: Domestic Compliance [with Helsinki Accords], 1979-1980. For more on the Ford Foundation and its role in the establishment of US Helsinki Watch and Human Rights Watch, see: Dezalay and Garth, ‘From the Cold War to Kosovo: The Rise and Renewal of the Field of International Human Rights,’ pp. 240-244. William Korey also has published a book on the Ford Foundation, with a chapter dedicated to its work with US Helsinki Watch and Human Rights Watch; see: Korey, *Taking on the World's Repressive Regimes*, pp. 89-118.

were launched for the release of many Soviet writers, scientists, academics, and other non-violent activists. Newspaper articles were published and letters written to members of congress, governors and the president, requesting action be taken on behalf of the imprisoned and persecuted. Pressure politics were central to the U.S. Helsinki Watch strategy.

Scrutiny was not reserved for Soviet compliance, however, as the U.S. Helsinki group focused equally on U.S. domestic compliance with the Accords. For example, in a letter to President Carter dated 24 April 1980, the U.S. Helsinki Watch committee chastised the President for his government ‘violating the spirit, if not the letter, of the Helsinki Accords,’ for ‘interfering with the right of Americans to travel’ as a result of a travel ban to Iran imposed by the Carter government.⁶⁸ Such direct enforcement of Helsinki principles, domestically and internationally, would become a hallmark of the Helsinki Watch Committees as the battle to ensure deeds matched words accelerated into the 1980s.

The move from collective minority rights to individual rights in the 1940s proved propitious. Whilst it did not herald a ‘human rights revolution,’ it was most certainly a ‘strange triumph.’ Although the individual rights regime of the 1940s was notable for its ambiguity and lack of enforceability and positive legal value, this did not result in an irredeemable situation. Instead, these characteristics allowed for a more diffuse appropriation of meaning, giving local grievances an international language and vice versa. Whilst the Cold War and wars of decolonisation waged, individual human rights discourse was being woven into the fabric of international exchange. The revival of human rights in the 1970s, therefore, was by no means arbitrary. It was, however, largely contingent on the communication and enforcement revolutions – the latter facilitated by former – of this time. The rapid professionalisation of human rights organisations gave the movement new life. Information

⁶⁸ U.S. Helsinki Watch Committee, ‘Letter to President Jimmy Carter,’ Files of Jeri Laber, Box 1, Series I, Folder 67, File “USSR: US: Domestic Compliance [with Helsinki Accords], 1979-1980.

gathering and distribution was bolstered by the commercialisation of the air industry and explosion of the global media. These developments helped establish credible and efficient human rights reporting system that would lead to a new way in which activists could agitate for change. Gone were the mass mobilisations of the grassroots activism of the 1960s. Third-party pressure politics were proving to be far more effective in both outcomes and cost. The signing of the Helsinki Accords in 1975 would provide the ideal arena in which the international human rights movement could flex its newly found muscles.

In this chapter it has been argued that the international human rights movement was the product of historically contingent circumstances. The ambiguity of the individual rights regime of the 1940s allowed for individual human rights discourse to be woven into the fabric of international exchange. However, they lacked positive legal value and therefore remained largely unenforceable. The signing of the Helsinki Accords in 1975 was the catalyst for the explosion of activist networks that provided the impetus the movement had previously lacked. The 1970s ‘enforcement revolution,’ facilitated by the communication and transport revolutions of the same decade, permanently placed human rights on the international agenda.

Chapter Two

The Politics of Anti-Politics:

Human Rights Discourse and the National Interest

[O]ur newest experiences and our most recent fear... [are] a matter of thought and thoughtlessness – the heedless recklessness or hopeless confusion or complacent repetition of ‘truths’ which have become trivial and empty –

[This] seems to me among the outstanding characteristics of our time.

- Hannah Arendt, *The Human Condition*

This chapter will examine the machinations of US domestic politics that would result in the decoupling of human rights from their traditional grounding in law. In order to demonstrate this, a discussion of the factors that led to Jimmy Carter’s loss to Ronald Reagan in the 1980 US presidential election is necessary. As while Carter brought human rights to the heart of global rhetoric, their path would be an arduous one under the Reagan administration.

At the risk of over privileging the role of the United States in the development of the international human rights movement, one also cannot understate the impact that US politics and foreign policy in the late 1970s and early 1980s had on the trajectory of the movement. The presidential term of Jimmy Carter (1976-1981) would bring human rights politics from the periphery to the heart of the political arena. However, his inability to consistently execute a foreign policy that privileged human rights over the national interest would lead to his loss of the presidency after just one term in office. There were multiple factors that led to the election of Ronald Reagan. Most relevant for this discussion are the fracturing of the Democratic Party in the late 1970s and the upsurgeance of the neoconservative thinking in

American politics. The election of Ronald Reagan as US president in January 1980 would have a profound effect on the movement. Through the implementation of the policy of ‘democracy promotion,’ as well as the theoretical justification for the support of right-wing autocratic regimes, human rights would be decoupled from its grounding in the law. The bold neoconservative rhetoric and staunch anticommunism of Reagan and his administration would only serve to further blur the lines when it came to human rights and morality in politics. In response to this, members of Helsinki Watch would establish America’s Watch to monitor not only US compliance to the Accords, but also to monitor its policies in Latin America. As the politics of anti-politics were pursued, it would become increasingly apparent that there was more than one path where human rights were concerned.⁶⁹

Helsinki marked the re-entrance of human rights onto the main stage of international geopolitics. However, it had not truly penetrated US politics – internationally or domestically – until the election of Jimmy Carter to the office of US president in 1977. Whilst Gerald Ford had signed the Helsinki Accords, his inability to articulate its benefits proficiently enough at home contributed to his loss of the presidency in 1976.⁷⁰ The revelations of illegal, scandalous, and morally corrupt activities that had been performed in the name of the U.S. Government and its people – such as Watergate, the covert activities of the CIA as revealed by the Church Committee, and the Vietnam War – had left the American public feeling disillusioned to say the least. The alignment of human rights with morally responsible politics, as championed by Carter, was therefore met by a highly receptive audience.⁷¹ Capitalising on the discontent pervading the American political landscape, Carter’s 1976 presidential campaign is notable for his promise to morally transcend politics. This would

⁶⁹ Moyn, *The Last Utopia*, p. 218.

⁷⁰ Sarah Snyder, ‘Through the Looking Glass: The Helsinki Final Act and the 1976 Presidential Election,’ *Diplomacy and Statecraft*, vol 21, no. 1 (2010), p. 101. Snyder notes that ‘Ford had an opportunity to benefit from the Helsinki Final Act, but he was unable to frame his agreement to the accord’s terms in the context of heightened interest in human rights, as Carter would later do.’

⁷¹ Snyder, ‘Through the looking glass,’ pp. 94-5.

pave the way for the human rights ‘explosion’ that brought human rights from the periphery of politics and grassroots activism into the heart of global rhetoric.⁷² In his inaugural address Carter stated:

Our commitment to human rights must be absolute, our laws fair, our natural beauty preserved; the powerful must not persecute the weak, and human dignity must be enhanced... Because we are free we can never be indifferent to the fate of freedom elsewhere. Our moral sense dictates a clearcut preference for these societies which share with us an abiding respect for individual human rights.⁷³

Human rights had been brought to the fore as Carter introduced human rights into the mainstream and gave it, as an idea, unprecedented exposure.

1977 would be a breakthrough year for human rights, and in the United States this was largely due to President Carter’s particular style of politics. Coming to power in a climate of disillusionment, Carter’s fusion of human rights rhetoric with moralistic politics presented a way forward for many, particularly the fractured Democratic constituency.⁷⁴ For the Democratic hawks, it presented an alternative to the ‘morally bankrupt’ detente.⁷⁵ While for the Democratic doves, it restored the integrity of the US from the ‘moral muck’ of the anticommunist crusade of the 1960s, such as Vietnam and U.S. support of right-wing dictators.⁷⁶ Carter’s human rights politics was to take U.S. foreign policy in a radical new direction. Eager to break away from the Cold War rhetoric and orthodoxies of his predecessors, Carter aimed to move U.S. foreign policy onto a moralistic, ‘post-Cold War’ path.⁷⁷ In the years following, Carter and his administration would attempt to substitute

⁷² Moyn, *The Last Utopia*, pp. 154-5.

⁷³ Jimmy Carter, ‘Inaugural Address,’ 20 January 1977, <http://www.bartleby.com/124/pres60.html> last accessed 5 March 2012.

⁷⁴ David F. Schmitz and Vanessa Walker, ‘Jimmy Carter and the Foreign Policy of Human Rights: The development of a post-Cold War foreign policy,’ *Diplomatic History*, vol. 28, no. 1 (Dec. 2003), p. 113.

⁷⁵ Snyder, ‘Through the looking glass,’ p. 94.

⁷⁶ Moyn, *The Last Utopia*, p. 159.

⁷⁷ Schmitz and Walker, ‘Jimmy Carter and the Foreign Policy of Human Rights,’ p. 113.

politics with morality – to create some form of paradoxical anti-politics within politics – in an attempt to reinstate the moral integrity of the US in the eyes of the world.⁷⁸

Whilst Carter's ambition was admirable, it became apparent that it was not practicable. Crises in Nicaragua, Iran, and Afghanistan, to name a few, ensured that the Cold War remained at the forefront of foreign policy considerations. Furthermore, Carter's responses to the various crises made it increasingly apparent that he lacked any formal human rights agenda. As one observer, Charles Maechling Jr., an international lawyer and State Department official in the Kennedy and Johnson administrations, quipped: 'the Carter rhetoric was so enthusiastic about the full range of human rights as to display no sense of priorities.'⁷⁹ Carter was criticised widely for his lack of consistency. And while there is much debate as to whether this was due to naivety, incompetence or simply a lack of any calculated policy articulation, what cannot be doubted is Carter's sincerity in his commitment to human rights.⁸⁰ Carter's brand of moral interventionism meant that foreign policy was not only defined in terms of human rights, but also prioritised them. His successful incorporation of human rights rhetoric into his politics though, resulted in an inability to create any form of mutual exclusivity among, or total absorption of, morality and politics.⁸¹ Instead, what Carter achieved was a relocation of human rights from the periphery of politics to the heart of it.

Not everyone was happy with the direction that Carter had taken. Particularly the fractured Democratic Party constituency. The eventual split amongst the Democratic Party ranks would have a significant impact on the direction that US foreign policy would take. The

⁷⁸ Moyn, *The Last Utopia*, p. 159.

⁷⁹ Charles Maechling, Jr., 'Human Rights Dehumanized,' *Foreign Policy*, no. 52 (Fall, 1982), p. 118.

⁸⁰ See, for example, Schmitz and Walker, 'Jimmy Carter and the Foreign Policy of Human Rights,' pp. 113-144; Hauke Hartmann, 'US Human Rights Policy under Carter and Reagan, 1977-1981,' *Human Rights Quarterly*, vol. 23, no. 2 (May 2001), pp. 402-430; Moyn, *The Last Utopia*, pp. 149-160; Snyder, 'Through the looking glass,' pp. 87-106; and, David Carleton and Michael Stohl, 'The Foreign Policy of Human Rights: Rhetoric and Reality from Jimmy Carter to Ronald Reagan,' *Human Rights Quarterly*, vol. 7, no. 2, (May 1985), pp. 205-229.

⁸¹ Sean Wilentz writes of 'the agonies of anti-politics' that Carter faced as he strived to position himself as an 'anti-politician.' See Sean Wilentz, *The Age of Reagan: A History, 1974-2008* (New York: HarperCollins Publishers, 2008), particularly Chapter 3, pp. 73-98.

Democratic Party was deeply divided by the end of Carter's first term. Many hawks felt that Carter's policies were a manifestation of the increasing influence that the New Left had within the party. They felt that the traditional blue collar interests of the Democratic Party had been abandoned, and the party had moved too far to the Left. Two factions of the Democratic Party – the Coalition for a Democratic Majority (CDM) and Committee on the Present Danger (CPD) – formed in opposition to this. They shared a common enemy – the New Left – although their views differed widely. The CDM was more concerned with the internal workings of the Democratic Party itself, while the CPD focused on foreign policy. They felt that America had grown militarily and strategically weak in the face of Soviet expansion, and perceived American military strength as the key to securing democracy and freedom.⁸² This faction would become a major source of neoconservative thinkers and strategists.⁸³ Convinced that Carter was not their man, his hardline response to the hostage situation in Iran (November 4 1979 to January 20 1981) did naught to remedy the deep dissatisfaction felt by the right-leaning Democrats.⁸⁴ Reagan on the other hand, appealed to the disaffected Democrats. He had been on the CPD, an active member of American's for Democratic Action, and a staunch anticommunist trade union leader, only to convert to Republicanism at the age of 51.⁸⁵ There would be a large defection of CDM and CPD members who would vote Republican in the Carter-Reagan election.⁸⁶

The Democratic defection to the Reagan camp would prove fateful. In an article that caught the attention of Reagan during his candidacy, key CPD member Jeane Kirkpatrick had articulated an early version of what would later become the core principle of Reagan's

⁸² Vaisse, *Neoconservatism*, p. 10.

⁸³ *Ibid.*, p. 84.

⁸⁴ Wilentz, *The Age of Reagan*, p. 124.

⁸⁵ Vaisse, *Neoconservatism*, p. 186.

⁸⁶ Additionally, Wilentz notes that there was a '2 percent decline in voter turnout compared with that of four years earlier... so the picture was even fuzzier. But the results definitely reflected a collapse of the Democrats, especially of the liberal Democrats.' See: Wilentz, *The Age of Reagan*, p. 124.

foreign policy – ‘democracy promotion.’⁸⁷ Kirkpatrick’s article, published in *Commentary* magazine in November 1979 and titled ‘Dictatorships and Double Standards,’ argued for an alignment of ‘liberal idealism,’ the ‘national interest’ and the ‘defense of freedom.’ Distinguishing between totalitarian tyrants (of which violent communist revolutionaries, or as Kirkpatrick classed them ‘revolutionary autocracies,’ were ‘unlikely’ to become anything but) and U.S. friendly, non-communist, traditional and semi-traditional autocratic regimes, Kirkpatrick justified U.S. support of strategic, albeit despotic, regimes in the name of anticommunist crusade.⁸⁸ ‘Democracy promotion,’ although not initially identified as such, provided the policy crystallisation that Carter had lacked. And while Kirkpatrick’s thesis was by no means new, it was by far the most explicit expression of American imperialism for decades. Its premise – that the U.S. should privilege the national interest through favouring ‘friendly’ despots, and actively promote ‘freedom’ through supporting anticommunist regimes – would inform foreign policy throughout Reagan’s presidency. For example, Richard D. Schifter, Assistant Secretary of State Bureau of Human Rights and Humanitarian Affairs, in a statement before the Senate Foreign Relations Committee in 1985, directly referenced Kirkpatrick’s thesis in support of his postulation that there is a clear and recognisable difference between a ‘totalitarian’ and ‘authoritarian’ government in the way that religion is treated. An authoritarian government will ‘generally speaking permit’ a religious organisation. A totalitarian government ‘cannot tolerate... any kind of independent association of its citizens.’⁸⁹ Whilst persecution of religious groups within the Soviet Union was of course a cause for concern, the logic that Schifter has based his imperative upon is simply hypocritical. Only a couple of years earlier, Reagan had been diverting secret funds to

⁸⁷ Richard V. Allen, ‘Jeane Kirkpatrick and the Great Democratic Defection,’ *The New York Times*, 16 December 2006.

⁸⁸ Jeane Kirkpatrick, ‘Dictatorships and Double Standards,’ <http://www.commentarymagazine.com/article/dictatorships-double-standards/>, last accessed 19 April 2012.

⁸⁹ Richard D. Schifter, ‘Statement Before the Senate Foreign Relations Committee: Subcommittee on European Affairs,’ *Human Rights Watch Files of Catherine Fitzpatrick*, Box 59, Series 3, File 3 “USSR: US State Dept: Human Rights 1979, 1980, 1985, 1987.”

aid the hard-line Christian and staunch anticommunist, Argentine General Leopoldo Galtieri whose 'autocratic' regime would not allow a gathering of more than two people, anywhere, for whatever reason, religious or not.⁹⁰ The inherent hypocrisy was appalling, although it did not act as a deterrent for the Reagan administration.

The reconciliation of support for local 'freedom fighters' with defence against communism and the commitment to human rights was a hotly debated topic.⁹¹ Reagan had laced his political rhetoric with human rights discourse, yet he was simultaneously propagating support for violent and repressive autocrats in the name of anticommunism. How would the administration resolve this apparent paradox? Kirkpatrick, and ultimately Reagan, would take the long-view, rationalising such a policy as 'ends justifying the means.' That is, as Kirkpatrick argued in 'Dictatorships & Double Standards,' while '...no idea holds greater sway in the mind of educated Americans than the belief that it is possible to democratize governments, anytime, anywhere, under any circumstances,' efforts to democratise traditional autocracies must be timed correctly as, 'the speed which armies collapse, bureaucracies abdicate, and social structures dissolve once the autocrat is removed frequently surprises American policymakers...' Thus in order to prevent the spread of Marxist-Leninist ideology and Soviet influence, these autocratic leaders must be supported until appropriate as to do otherwise would equate to 'remain[ing] passive in the face of communist expansion...' and '...actually facilitate the job of the insurgents.'⁹² Or, as Roger Fontaine, Reagan's chief aide on Latin America put it, '[w]e must maintain our interest in promoting democracy without getting disillusioned because there's a military coup in Honduras and the general's didn't respond the way we wanted... We can't keep reprimanding other republics because they

⁹⁰ Jean H. Quataert, *Advocating Dignity: Human Rights Mobilizations in Global Politics* (University of Pennsylvania Press: Philadelphia, 2009), p. 112.

⁹¹ Chester Pach, 'The Reagan Doctrine: Principle, Pragmatism, and Policy,' *Presidential Studies Quarterly*, vol. 36, no. 1 (March 2006), p. 76.

⁹² Kirkpatrick, "Dictatorships & Double Standards,"

<http://www.commentarymagazine.com/article/dictatorships-double-standards/>.

misbehave.’⁹³ This was a familiar critique of Carter’s foreign policy by Reagan during the election campaign and would remain a theme of foreign policy justifications throughout his presidency.

In the Kirkpatrick-Reaganite paradigm, there were two primary assumptions that allowed for the support of right-wing autocratic regimes, the first facilitating the second. Firstly, autocratic regimes were believed to maintain stability and prevent revolution (particularly leftist insurgencies), thus were integral to the protection of U.S. investments and trade, and more importantly, the U.S. national interest. Secondly, as autocratic regimes were thought to maintain stability they were more likely than left-leaning regimes to cultivate democratic institutions and eventually facilitate a transition into democratic governance.⁹⁴ In an address to British Parliament on June 8, 1982, Reagan expressed just this, stating:

We cannot ignore the fact that even without our encouragement there has been and will continue to be repeated explosions against repression and dictatorships. The Soviet Union itself is not immune to this reality. Any system is inherently unstable that has no peaceful means to legitimize its leaders. In such cases, the very repressiveness of the state ultimately drives people to resist it, if necessary, by force. While we must be cautious about forcing the pace of change, we must not hesitate to declare our ultimate objectives and to take concrete actions to move toward them. We must be staunch in our conviction that freedom is not the sole prerogative of a lucky few, but the inalienable and universal right of all human beings.⁹⁵

Basically, what Reagan was asserting here was that the promotion of liberal democracy and democratic institutions was necessary to defend against the spread of communism.⁹⁶

⁹³ Warren Hoge, ‘Reagan Aides, In South America, Say He Would Not Favor Dictators,’ *New York Times*, 22 September 1980.

⁹⁴ Ronald Reagan, ‘Address to the Members of British Parliament, June 8, 1982,’ <http://www.reagan.utexas.edu/archives/speeches/1982/60882a.htm>, last accessed 1 May 2012. Reagan speaks of democracy as being ‘not a fragile flower...’ but still in need of ‘cultivating.’ Thus, the US must take ‘actions to assist the campaign for democracy.’

⁹⁵ *Ibid.*

⁹⁶ This was apparent to many at the time. As the introduction to the 1985 America’s Watch report *With Friends Like These* articulates: ‘Implicit in these analyses was the assumption that democracy – the sense of

Indirectly, he was also arguing that stable societies, in general, are necessary in order to achieve democracy and freedom. Moreover, in naming ‘freedom’ as a basic right, Reagan had conflated the achievement of human rights with the establishment of democratic governance and the defeat of communism. In just a few sentences, Reagan expertly amalgamated the multiple dimensions of his foreign policy: anticommunism, democracy promotion, support of right-wing autocrats, the national interest and human rights. This rhetoric, however, would prove to be a double-edged sword as it opened Reagan to charges of hypocrisy. As whilst Reagan was criticising the Soviets for establishing a regime ‘by bayonet,’ in Latin America, Reagan was doing just the same, albeit indirectly, through fostering right-wing autocratic regimes.⁹⁷

This ideological nuance in Reaganite policy is fundamental to understanding the course that human rights discourse would take. In tying human rights to democratic governance, instead of international law, the Reagan administration transformed their human rights policy into a policy of ‘democracy promotion.’⁹⁸ Democracy promotion was essentially U.S. political imperialism. It sought to export and implement (by force if necessary) American-style democracy. That is, liberal democratic society in which civil-society institutions – such as the press, political parties, and trade unions – existed independently of the state. As Reagan asserted in his 1982 Address to British Parliament:

representative government and open debate about social and political issues, the free play of ideas and agendas – carried a rights of chaos, and that a system of tighter control was more capable of resolving social challenges. Implicit too – sometimes even explicit – was the belief that only control would preclude the kind of unrest and open polarization that could lead developing countries leftward. For such development theorists and policy activists, the world needed a “bulwark” against chaos and communism, and the military was this indispensable “bulwark”.⁹⁷ US support of right-wing dictatorships, as articulated in their foreign policy, was a central issue for America’s Watch. See Cynthia Brown, ed., *With Friends Like These: The America’s Watch Report on Human Rights and U.S. Policy in Latin America* (New York: Pantheon, 1985), p. xv.

⁹⁷ Reagan, ‘Address to the Members of British Parliament, June 8, 1982,’

<http://www.reagan.utexas.edu/archives/speeches/1982/60882a.htm>.

⁹⁸ Guillhot, ‘Limiting Sovereignty or Producing Governmentality?’ p. 510.

The objective I propose is quite simple to state: to foster the infrastructure of democracy, the system of a free press, unions, political parties, universities, which allows a people to choose their own way to develop their own culture, to reconcile their own differences through peaceful means.⁹⁹

The irony was that Reagan intended to implement this ‘infrastructure’ even if it meant using force. The Reagan administration had, in a throwback to the republican ideologies of manifest destiny and American exceptionalism, constructed its mission in terms of the ends justifying the means.¹⁰⁰ The paradox inherent in such an approach was apparently not missed, but rather ideologically justified insofar as the use of U.S. power was benevolent. Thus any actions taken in the long-term defence of freedom or promotion of democracy were necessary aberrations.¹⁰¹ Human rights had been appropriated by neoconservative ideology. How damaging this would be to the movement would remain to be seen. Such a blatant deviation from the essence of the international human rights movement was a source of much uproar both domestically and abroad; particularly as Reagan’s own disregard for human rights became evident.

That Reagan’s stand on human rights differed starkly from his predecessors was confirmed almost immediately. Reagan’s choice of staff was the first indication that the ‘national interest’ had subsumed human rights in policy priorities. As James T. Baker, White House Chief of Staff, stated in a memorandum quoted in the *New York Times* on 9 November 1981, Reagan’s foreign policy would be one of ‘quiet diplomacy.’ That is, the President would, ‘speak out where it is necessary in order to emphasize his concern and commitment to human rights,’ and ‘where that’s not necessary, he will deal with it through quiet diplomacy.’¹⁰² The policy of ‘quiet diplomacy’ essentially relegated all human rights

⁹⁹ Reagan, ‘Address to the Members of British Parliament, June 8, 1982,’ <http://www.reagan.utexas.edu/archives/speeches/1982/60882a.htm>.

¹⁰⁰ David F. Schmitz, *The United States and Right Wing Dictatorships, 1965-1989*, (Cambridge; New York: Cambridge University Press, 2006), p. 2.

¹⁰¹ *Ibid.*, p. 3.

¹⁰² _____, ‘Reagan Rights Policy Confirmed,’ *New York Times*, 9 November 1981.

issues, and any related diplomatic concerns, to behind closed doors. The opaque nature of the policy was problematic and highly criticised. One such criticism aired was that of Argentine newspaper publisher and former political prisoner, Jacobo Timerman. Speaking at the 1981 annual general meeting of Amnesty International, Timerman said that Reagan's policy would be interpreted by dictators on the left and right as 'unlimited licence to trample on human rights.' And, 'diplomatic and political theories like the thesis of quiet diplomacy... just replace the idea of human rights with a mere technical or strategic exercise.'¹⁰³ Reagan's policy of quiet diplomacy was definitely a cause of concern.

Especially as Reagan's lead staff members were not necessarily the most avid advocates for human rights in the foreign policy agenda. As mentioned earlier, his appointment of Jeane Kirkpatrick as U.S. Ambassador to the UN certainly signified that Reagan would most definitely not pick up where his predecessor had left off. Kirkpatrick was no proponent of human rights as a core tenet of foreign policy decisions – unless of course, they ran parallel to the national interest. Likewise, Andrew Haig to Secretary of State indicated a reprioritisation of Cold War objectives, stating outright that Reagan would 'draw the line' on communist advance in Latin America.¹⁰⁴ Most troubling, however, was his nomination of Ernest Lefever for the post of Assistant Secretary of State of State for Human Rights. Lefever was another notorious critic of Carter's policies. Most worrisome were his views on the place of human rights in foreign policy. For example, Lefever had testified in the 1979 Bonker Subcommittee on Foreign Affairs:

... the United States should remove from all statute books all clauses that establish a human rights standard or condition that must be met by another sovereign nation. In a formal and legal sense,

¹⁰³ _____, 'Timerman Criticizes Reagan on Human Rights Policy,' *New York Times*, 15 June 1981.

¹⁰⁴ Neier, *Taking Liberties*, p. 190.

the U.S. has no responsibility – and certainly no authority – to promote human rights in other sovereign states.¹⁰⁵

He had also expressed, post-nomination, that ‘economic and military aid should be given or withheld to encourage sound external practices, but not to reform domestic institutions or practices, however obnoxious.’¹⁰⁶ That Lefever’s views, as Aryeh Neier noted, ‘directly contradicted the body of U.S. laws he would have to enforce,’ did not seem to faze Reagan.¹⁰⁷ Human rights groups were understandably concerned and would successfully campaign to block his confirmation.¹⁰⁸ It would take 5 months until Reagan would appoint Elliott Abrams, another Democratic hawk convert, to the post.

If there was any doubt that Reagan was taking a new line, the 1981 declaration of support for loans by international development banks to Chile, Argentina, Uruguay and Paraguay would remove any doubt. Carter had opposed all loans to Chile and abstained on proposals for international loans to Uruguay, Paraguay and Argentina since 1977. However, in 1981, the State Department determined that ‘there have been significant improvements in the human rights situations in those countries...’ to ‘not require U.S. opposition to these countries.’¹⁰⁹ This directly contravened of the 1977 Harkin Amendment to the International Security Act which stipulated that no economic aid be provided to,

The government of any country which engages in a consistent pattern of gross violations of international recognized human rights, including torture or cruel, or inhuman, or degrading treatment or

¹⁰⁵ Mary McGrory, ‘Lefever is Wronging Rights,’ *Chicago Tribune*, 18 February 1981.

¹⁰⁶ Neier, *Taking Liberties*, p. 176.

¹⁰⁷ *Ibid.*

¹⁰⁸ See, for example, Sarah Snyder, ‘The Defeat of Ernest Lefever’s Nomination: Keeping Human Rights on the United States Foreign Policy Agenda,’ in *Challenging US Foreign Policy: America and the World in the Long Twentieth Century*, Bevan Sewell and Scott Lucas, eds. (New York: Palgrave MacMillan, 2011), pp. 136-161.

Neier also talks of the campaign waged by America’s Watch in *Taking Liberties*, see pp. 176-185.

¹⁰⁹ _____, ‘Reagan Reverses Rights Policy,’ *Chicago Tribune*, 9 July 1981.

punishment, prolonged detention without charges, or other flagrant denials of the right to life, liberty and the security of a person.¹¹⁰

That the situation had ‘improved’ should not have had bearing if consistent violations were still taking place – which in fact, they were. For example, at this time Argentina was estimated to be holding around 900 people in ‘prolonged detention without charges,’ and was refusing to account for the ‘disappearances’ of up to 20,000 people in the period spanning 1976-1981, a ‘flagrant denial... [of] life, liberty and the security of a person.’¹¹¹ Nonetheless, the policy was defended. The State Department argued that:

... we believe that more will be gained for human rights by recognizing improvement than by the continued public condemnation implicit in negative votes or abstentions on international loans.¹¹²

The Reagan administration was changing the rules of the game. By manipulating definitions or inherent meanings, the administration was side-stepping criticism and legislation. This would become pervasive in the administration’s implementation of foreign policy.

For neoconservatives human rights were not a legal discourse, but rather a moral one. Through the equating of human rights with morality, human rights had been wrested from its grounding in law. The decoupling of human rights from international law by the neoconservatives was problematic to say the least. As Nicolas Guilhot explains, neoconservative ideology achieved a ‘conceptual displacement,’ that is, ‘while human rights were theretofore considered as a bulwark against state power, they [were] now equated with it.’¹¹³ Through the equation of power with morality, neoconservatives positioned themselves to potentially circumvent the legalities of their actions. The human rights movement was drawing ever closer to the state and its mechanisms. That the state in question believed that

¹¹⁰ _____, ‘House Votes to Ban Foreign Aid for Human Rights Violations,’ *New York Times*, 11 September 1975. Also see, Juan de Onis, ‘U.S. and Latins: Violations of Rights vs. Aid from Congress,’ *New York Times*, 4 October, 1975; and, Mary McGory, ‘The Morality of Foreign Aid,’ *Chicago Tribune*, 1 October 1975.

¹¹¹ Aryeh Neier, ‘Of Reagan and Rights,’ *New York Times*, 12 November 1981.

¹¹² _____, ‘Reagan Reverses Rights Policy,’ *Chicago Tribune*, 9 July 1981.

¹¹³ Guilhot, ‘Limiting Sovereignty or Producing Governmentality?’ p. 509.

‘peace,’ ‘freedom,’ and human rights could be delivered through flouting the system it propounded was an ominous start to a presidential term. This element of neoconservative ideology lay in stark contrast to the human rights as conceived by the U.S. Helsinki Watch Committees, whose practice was anchored in international human rights norms as enshrined in law. Theirs was an activism of enforcement, enforcement of international conventions and treaties and of international law. Thus, the neoconservative redirection of human rights as ideology was profoundly problematic for the U.S. Helsinki Watch groups.

The election of Ronald Reagan as president in November 1980 provided the impetus for Robert Bernstein, Orville Schell and Aryeh Neier to found America’s Watch. Much of the work of Helsinki Watch had, up to this point, aligned with the foreign policy of both Carter and early Reagan as it largely focused on securing civil and political liberties within the Soviet bloc. As Neier noted, it became immediately apparent with the election of Reagan that ‘if we wanted to have an impact on human rights policy, we had to establish a capacity to work on Latin America.’¹¹⁴ As where ‘Jimmy Carter had embraced our cause [the international human rights movement]... the new team of advisors repudiated the Carter policy.’¹¹⁵ Furthermore, it had become necessary to demonstrate that the Watch groups were not just fronts for Cold War doctrine. As noted in the previous chapter, credibility was essential for the new activist model of the international human rights movement.¹¹⁶ However, with the constant presence of Cold War rivalries, neutrality and impartiality were more pertinent than ever. Human rights as anti-politics had had its day. This was compounded by the ever evolving activism that was growing increasingly elitist. Third-party pressure politics was proving to be a far more effective and efficient activist model than the grassroots activism on which the movement was built. Being a small operation of specialists, such as

¹¹⁴ Neier, *Taking Liberties*, p. 153.

¹¹⁵ *Ibid.*, p. 176.

¹¹⁶ Marks, ‘Human Rights and Root Causes,’ p. 57.

lawyers, journalists and lobbyists, U.S. Helsinki Watch and America's Watch could effectively battle successive administrations and national governments on their human rights records and moral responsibility of others actions. Helsinki Watch had provided the anticommunist credentials to stave off any right-wing anticommunist fear mongering. America's Watch would provide the platform for the Watch groups to demonstrate their commitment to neutrality and impartiality – their handling of the Reagan administration's policy toward El Salvador providing a case in point to be dealt with in the next chapter.

Whilst the 1960s and 1970s saw human rights operate as a form of anti-politics on the periphery of the political arena, the 1980s would see human rights moved to the heart of global rhetoric in an unprecedented way. Reagan had inextricably tied human rights to the establishment of American-style democracy. Arguing that it was only under these political conditions could human rights flourish or be respected. Human rights were now enmeshed with Cold War objectives. This was, to say the least, a highly problematic development. Anchored in Cold War strategy, the neoconservative reimagining of human rights crystallised them in terms of ideology, wresting them away from their traditional grounding in law. Reagan sought a synthesis between neo-liberal politics, anticommunism, and the national interest. Human rights rhetoric provided him with a palatable discourse in which to articulate this, and Kirkpatrick's doctrine a theoretical grounding in which to base such objectives. With the upsurgeance of the neoconservative movement off the back of Ronald Reagan's election to office in 1980, the 'idea' of human rights became increasingly blurred. Whilst human rights had flourished due to its ambiguity, this success would prove to be a double-edged sword. Through the vacuum left by the ambiguity surrounding human rights proper, Reagan and his colleagues would attempt to assert their own hegemony over their meaning. This would come back to haunt the Reagan administration, as they found themselves

increasingly rhetorically entrapped.¹¹⁷ Whilst successive U.S. presidents appropriated human rights discourse into their politics, it was not long before the Watch committees were responding in a like manner. Particularly after the election of Reagan into office, it was no longer practicable – nor possible – to contain human rights activism to the periphery of politics.

In this chapter it has been argued that the fracturing of the Democratic Party constituency and the emergence of neoconservative ideology resulted in the decoupling of human rights from international law and its appropriation into the realm of morality. These developments manifest in the implementation of ‘democracy promotion’ as a core tenet of U.S. foreign policy under Reagan. This was a highly problematic development for the international human rights community, particularly America’s Watch, who based their activism on enforcement of international laws and conventions. The next chapter will deal with the consequences of these developments.

¹¹⁷ Guilhot, ‘Limiting Sovereignty or Producing Governmentality?’ p. 502.

Chapter Three

A Surrogate Villain:

The Reagan Administration, Human Rights, and U.S. Foreign Policy in Latin America

What the hell is ‘moderately repressive’ – that you only torture half of the people, that you only do summary executions now and then? I don’t even know what ‘moderately repressive’ is.¹¹⁸ – Patricia Derian, Assistant Secretary of State for Human Rights and Humanitarian Affairs, 1977-1981.

This chapter investigates the utilisation of human rights discourse under the Reagan administration and, specifically, the place it held in Latin American foreign policy. As ‘democracy promotion’ was conflated with human rights, the Reagan administration would subsume human rights into its foreign policy objectives. Whilst Carter had been a great ally to the cause, it was apparent from the outset that the Reagan administration intended to take a different path. The policy of ‘democracy promotion’ would result in the resumption of unconditional support for ‘friends’ and allies of the Administration. In the case of El Salvador, it meant supporting the brutal counter-insurgency tactics employed by the Salvadoran government. The denial of a massacre of unarmed non-combatants in El Mozote to secure further economic and military aid was a particularly blatant example. For the Reagan administration, human rights discourse and information ultimately served an advocacy function to achieve foreign policy objectives.¹¹⁹ As the Administration continued to

¹¹⁸ Patricia Derian, United States Assistant Secretary of State for Human Rights and Humanitarian Affairs, 1977-1981, CBS Interview, December 1980.

¹¹⁹ America’s Watch, *Review of the Department of State’s Country Reports on Human Rights Practices for 1987* (July 1988), <http://hrd.idcpublishers.info.ezproxy2.library.usyd.edu.au/hrd/protected/full->

emphasise the importance of human rights, however, they found themselves rhetorically trapped. Moreover, they were increasingly called upon to show consistency between their policy objectives and their actions, at home and abroad.¹²⁰ America's Watch would play a lead role in holding the United States government to account through exposing the Reagan administration as a 'surrogate villain.'¹²¹ The battle over words and deeds that ensued would have significant bearing on the trajectory of human rights discourse and activism.

American influence in Latin America has a long history, and the projection of U.S. power in the region predates the Cold War. The advent of the Cold War amplified U.S. involvement in Latin America. Largely driven by its existing economic and strategic presence, U.S. influence was predominantly evident through the presence of U.S. supported right-wing military dictatorships throughout Latin America. U.S. influence was so pervasive that historian John Coatsworth figures that between 1948 and 1990, the U.S. government – either through direct military involvement, CIA managed revolts or assassination, or through indirect U.S. influence, such as military *coup d'état* – overthrew 'at least' twenty-four Latin American governments.¹²² Guided by the belief that American interests – regional stability, anticommunism, trade and commercial interests, for example – were best served and secured by the support of such regimes, successive U.S. presidents supported authoritarian regimes in Latin America.¹²³ Domestic struggles were being amalgamated into the greater ideological warfare being waged across the globe. The result was that the stakes were raised and protagonists polarised.¹²⁴ Human rights violations in the region soared – particularly in the

[issue.html?organization=2156&document=0036&filename=HRD-2156_033-004.pdf&search=reagan+administration+americas+watch+1988](#), last accessed 9 May 2012, p. 1.

¹²⁰ This will be developed in the following chapter.

¹²¹ Neier, *Taking Liberties*, p. 220.

¹²² There is a large bibliography of histories of US involvement in Latin America. Volume 11 of the *Cambridge History of Latin America* contains a number of bibliographic essays on the field, although, being published in 1995, it is a little dated. See: Leslie Bethell, ed., *The Cambridge History of Latin America, Volume 11* (

¹²³ Schmitz, *The United States and Right Wing Dictatorships*, p. 241.

¹²⁴ Rosemary Foot, 'The Cold War and Human Rights,' *The Cambridge History of the Cold War – Volume 3: Endings*, eds. Melvyn P. Leffler and Odd Arne Westad (New York; Cambridge University Press, 2010), p. 450

late 1970s and 1980s.¹²⁵ For example, a report issued in 1981 by a United Nations working group cited 11,000 to 13,000 cases of ‘disappearances’ worldwide, of which ten of the fifteen countries reported on were Latin American states: Argentina, Bolivia, Brazil, Chile, El Salvador, Guatemala, Mexico, Nicaragua, Peru, and Uruguay.¹²⁶ This context was intensified with the heating up of the Cold War in the early 1980s, largely spurred by the Soviet invasion of Afghanistan on 24 December 1979.

The election of Ronald Reagan to the office of President brought a new direction in U.S. foreign policy, particularly toward Latin America. Informed by the neoconservative critique of Carter’s foreign policy, best articulated by Jeane Kirkpatrick in her January 1981 *Commentary* article titled ‘U.S. Security & Latin America,’ it was charged that:

... [Carter’s] policies have not only proved incapable of dealing with the problems of Soviet/Cuban expansion in the area [Latin America], they have positively contributed to them and to the alienation of major nations, the growth of neutralism, the destabilization of friendly governments, the spread of Cuban influence, and the decline of U.S. power in the region.¹²⁷

It was Kirkpatrick whose article ‘Dictatorships and Double Standards’ had shaped much of Reagan’s foreign policy thinking. As discussed in the previous chapter, a core tenet was the confrontation of Soviet expansion through ideological offensive – namely, ‘democracy promotion.’ The Third World, particularly Latin America, was seen as being the most vulnerable to Soviet influence. As Kirkpatrick writes in ‘U.S. Security & Latin America’:

The deterioration of the U.S. position in the hemisphere has already created serious vulnerabilities where none previously existed, and threatens now to confront this country with the

¹²⁵ Ellen L. Lutz and Kathryn Sikkink, ‘International Human Rights Law and Practice in Latin America,’ *International Organization*, vol. 54, no. 3 (Summer, 2000), p. 640. See also: Foot, ‘The Cold War and Human Rights,’ p. 451.

¹²⁶ Lutz and Sikkink, ‘International Human Rights Law and Practice in Latin America,’ p. 637.

¹²⁷ Jeane Kirkpatrick, ‘U.S. Security & Latin America,’ www.commentarymagazine.com/article/u-s-security-latin-america/, last accessed 19 April 2012.

unprecedented need to defend itself against a ring of Soviet bases on and around our southern and eastern borders.¹²⁸

The Reaganite Cold War view was classically bipolar with little or no view to the individual, domestic or international complexities of pre-existing experiences or conflicts.¹²⁹ As Jeri Laber, one of the founding members of Human Rights Watch observed of the Reagan administration's mentality at the time:

The administration saw Soviet encroachment behind every left-leaning government and every local insurgency in Central America. It applied the 'domino theory,' arguing that one country after another would fall under communism's sway, that we might have a succession of Cubas at our doorstep.¹³⁰

The transposition of Cold War bipolarities onto domestic conflicts would be a hallmark of the Reagan Administration. To largely devastating effect as Latin American became the key focus of the administration's policies.

The first comprehensive expression of Reagan's foreign policy was issued in May 1982. The 'U.S. National Security Strategy,' approved by Reagan on the 20th of that month, established the objectives of the national security policy of the United States as being, among others:

- To deter military attack by the USSR and its allies against the U.S., its allies, and other important countries across the spectrum of conflict; and to defeat such attack should deterrence fail.

¹²⁸ Kirkpatrick, 'U.S. Security & Latin America,' www.commentarymagazine.com/article/u-s-security-latin-america/.

¹²⁹ Schmitz, *The United States and Right Wing Dictatorships*, p. 194.; See also, Foot, 'The Cold War and Human Rights,' p. 450.; See also, Bernard Gwertzman, 'Washington's No-Apologies Approach to the Third World,' *New York Times*, 6 September 1981. Gwertzman notes Reagan's categorical approach to world politics and domestic conflicts through contrasting the Carter-Reagan approaches to the Third World. While Carter 'tended to regard developing countries in a special category apart from the East-West struggle... The Reagan Administration views the third world very much in the context of a bipolar struggle for influence.' This approach, he notes, was problematic for Western allies who 'worry that American support for repressive anti-Communist regimes... will only make it easier for Moscow to portray itself as the protector of the world's disadvantaged.'

¹³⁰ Jeri Laber, *The Courage of Strangers: Coming of Age with the Human Rights Movement* (New York: PublicAffairs, 2002), p. 167.

- To strengthen the influence of the U.S. throughout the world by strengthening existing alliances by forming and supporting coalitions of states friendly to U.S. interests, and by a full range of diplomatic, political, economic, and information efforts.
- To contain and reverse the expansion of Soviet control and military presence throughout the world, and to increase the costs of Soviet support and use of proxy, terrorist, and subversive forces...
- To limit Soviet military capabilities by strengthening the U.S. military...
- To ensure the U.S. access to foreign markets...
- To encourage and strongly support aid, trade, and investment programs that promote economic development and the growth of humane social and political orders in the Third World...¹³¹

This was the most explicit policy of U.S. imperialism in decades and marked a pointed intensification of the Cold War.¹³² Central to this policy was a focus on Latin America. As mentioned earlier, Latin America was believed to be the region most susceptible to Soviet influence. The resumption of the policy, partially abandoned by Carter, of unconditionally supporting anticommunist ‘U.S. friendly’ states and regimes – predominantly right-wing ‘traditional autocracies’ – was a direct product of this belief.¹³³

Again, Kirkpatrick had provided the theoretical grounding for the policy with her ‘lesser of two evils’ approach. That is, whilst ‘traditional autocracies are, in general and in their very nature, deeply offensive to modern American sensibilities,’ they were preferable to left-leaning insurgents as ‘the unpleasant fact’ was, according to Kirkpatrick, ‘if victorious, violent insurgency headed by Marxist revolutionaries is unlikely to lead to anything but

¹³¹ _____, ‘U.S. National Security Strategy,’ *National Security Decision Directive Number 32*, www.fas.org/irp/offdocs/nsdd/23-1218t.gif, last accessed 27 April 2012.

¹³² Kirkpatrick’s “Dictatorships & Double Standards,” however, certainly provided the theoretical base and inspiration for this policy directive.

¹³³ Kirkpatrick, “Dictatorships & Double Standards,” <http://www.commentarymagazine.com/article/dictatorships-double-standards/>.

totalitarian tyranny.’¹³⁴ What ‘unpleasant fact’ Kirkpatrick relied on to come to such a conclusion is unclear. Nonetheless, this stance was directly championed by Reagan, who duly positioned right-wing autocrats as ‘freedom fighters’ in America’s frontline battle against communism, well into his second term as president. In his 1985 State of the Union address, Reagan explicitly reiterated his support of anticommunist regimes worldwide:

We must not break faith with those who are risking their lives – on every continent, from Afghanistan to Nicaragua – to defy Soviet-supported aggression and secure rights which have been ours from birth... Support for freedom fighters is self-defense.¹³⁵

Self-defence and anticommunism had become synonymous with the national interest, as policy makers linked the protection of liberalism and expansion of American-style democracy with defence against communism and the containment of the Soviet Union.¹³⁶

Underlying the Reagan administration’s foreign policy was a penchant for manipulating human rights information to justify the execution of such foreign policy goals. U.S. relations with El Salvador provide an especially illustrative example. The situation in El Salvador was already dire when Reagan took office in January 1981. A military *coup d’état*, led by Jose Napoleon Duarte, executed on 15 October 1979, had overthrown the repressive government regime led by General Humberto Romero and installed a five person *junta* comprised of three civilians and two members of the Salvadoran armed forces.¹³⁷ This resulted in a temporary resumption of active civil and political activity for three months until, unable to control the Salvadoran military, the three civilian members of the *junta* resigned in protest to the continued repressive measures the military and police were taking to subdue

¹³⁴ Ibid.

¹³⁵ Ronald Reagan, ‘Address Before a Joint Session of the Congress on the State of the Union,’ <http://www.reagan.utexas.edu/archives/speeches/1985/20685e.htm>, last accessed, 19 April 2012.

¹³⁶ Schmitz, *The United States and Right Wing Dictatorships*, p. 3.

¹³⁷ For a chronology of the violence in El Salvador: see, United Nations Security Council, *From Madness to Hope: The 12-Year War in El Salvador: Report of the Commission on the Truth for El Salvador*, <http://www.usip.org/files/file/ElSalvador-Report.pdf>, last accessed 5 May 2012.

opposition.¹³⁸ In the following months the El Salvadoran Civil War broke out. Torture, mass murder, political assassinations, ‘disappearances,’ and other brutal measures were characteristic of the bloody Civil War. As Aryeh Neier, Executive Director of America’s Watch, noted of the crisis in El Salvador,

El Salvador... gained notoriety in 1981 because of the extreme brutality of its armed forces and the extraordinary number of violent abuses of human rights they committed before the outbreak of war in 1980 and, to an even greater extent, once the war began.¹³⁹

The El Salvadoran Civil War would witness 70,000 people lose their lives, 40,000 of which were mostly unarmed and non-combatant Salvadorans murdered by the armed forces, and the creation of over 500,000 refugees.¹⁴⁰

The conflict in El Salvador was treated by the Reagan administration in predictable fashion: framing the conflict in terms of classic Cold War bipolarities. Justifications for continuing to support the El Salvadoran military were based on claims that Cuba was arming the insurgents. In a speech to the Permanent Council of the Organization of American States on 24 February 1982, Reagan did not mince words about what he felt was ‘the true nature of the conflict in El Salvador.’ That is, ‘the guerrilla’s, armed and supported by and through Cuba, are attempting to impose a Marxist-Leninist dictatorship on the people of El Salvador as part of a larger imperialistic plan.’ The U.S. would do ‘whatever is prudent and necessary to ensure the peace and security of the Caribbean area.’¹⁴¹ Cold War rhetoric littered the administration’s communications and its coverage in the media. It was not uncommon to see the conflict debated in the media as to whether or not it would become ‘another’ Vietnam or

¹³⁸ Coatsworth, ‘The Cold War in Central America,’ p. 208.

¹³⁹ Neier, *Taking Liberties*, p. 190-1.

¹⁴⁰ Coatsworth, ‘The Cold War in Central America,’ p. 218; also see, James Dunkerley, ‘El Salvador since 1930,’ in *Latin America since 1930: Mexico, Central America and the Caribbean*, Leslie Bethell, ed. (Cambridge, Mass.; London, England: Cambridge University Press, 1990), p. 278.

¹⁴¹ Ronald Reagan, ‘Remarks to the Permanent Council of the Organization of American States on the Caribbean Basin Initiative, 24 February 1982,’ <http://www.reagan.utexas.edu/archives/speeches/1982/22482a.htm>, last accessed 30 April 2012.

Cuba.¹⁴² That the El Salvadoran Civil War had other dimensions, largely unrelated to the Cold War, such as the social and economic upheaval that resulted after the collapse of the country's coffee economy in the late 1970s, seemed irrelevant to Washington.¹⁴³ Cold War anxieties had been imposed on the El Salvadoran Civil War, but at what cost?

It is widely noted that Reagan's election had a marked impact on the activities in El Salvador. Notoriously, the day after Reagan was elected to office a mutilated body was found on the streets of San Salvador with a message reading, 'with Reagan, we will eliminate the miscreants and subversives in El Salvador and Central America.'¹⁴⁴ Reagan's election campaign, particularly his hard-line anticommunist rhetoric, had obviously been absorbed internationally, and his subsequent actions would do little to quell such notions. For example, the Reagan administration requested for the fiscal year ending 1982, \$US101 million in economic and military aid for El Salvador (of a total of \$US478 million requested for Latin America in general).¹⁴⁵ It is necessary to note at this point that human rights and foreign policy had been married by Congress in the late 1970s, with legislation linking the human rights records of states to their qualification for U.S. aid enacted. There are three items of legislation that are most relevant to this discussion. First, the 1977 Harkin Amendment specified that no economic aid be provided to 'the government of any country which engages in a consistent pattern of gross violations of international recognized human rights.'¹⁴⁶ Second, the 1976 International Security Assistance and Arms Export Control Act toughened

¹⁴² Raymond Bonner, 'El Salvador: Another Vietnam? Out of misery, a fight for democracy,' *New York Times*, 27 February 1981; Anatole Kaletsky and Hugh O'Shaughnessy also report that 'the word "Vietnam" is on everybody's lips in Washington at the moment, as the guerrilla war in El Salvador intensifies.' In, 'El Salvador: The Catch-22 for Mr Reagan,' *Financial Times*, 1 March 1982.

¹⁴³ For more on the causes of the El Salvadoran Civil War see: Schmitz, *The United States and Right Wing Dictatorships, 1965-1989*, p.203; also see, Dunkerly, 'El Salvador Since 1930,' especially pages 255, 269-71, and 278.

¹⁴⁴ Schmitz, *The United States and Right Wing Dictatorships*, p. 204.

¹⁴⁵ Juan de Onis, 'Killings in Salvador Deplored by U.S.,' *The New York Times*, 10 April 1981.

¹⁴⁶ _____, 'House Votes to Ban Foreign Aid for Human Rights Violations,' *New York Times*, 11 September, 1975. Also see, Juan de Onis, 'U.S. and Latins: Violations of Rights vs. Aid from Congress,' *New York Times*, 4 October, 1975; and, Mary McGory, 'The Morality of Foreign Aid,' *Chicago Tribune*, 1 October, 1975.

restrictions on the sale of American arms to foreign countries, with a specific provision preventing the transfer of weapons ‘to nations judged to have violated the human rights of their citizens.’¹⁴⁷ Thirdly, Section 502B of the Foreign Assistance Act required the U.S. to deny ‘security assistance’ to any government that engaged in consistent patterns of human rights abuses.¹⁴⁸

In El Salvador, this same 12 month period had seen: three American nuns and one lay worker abducted, murdered and buried in a shallow grave; the assassination, during mass, of Archbishop Oscar Arnulfo Romero; the kidnapping and murder of six leftist political leaders; as well as numerous reports of killings and ‘disappearances’ of civilians by the notorious ‘death squads.’ The death squads were members of the El Salvadoran military who disguised themselves as civilians while they did ‘their dirty work.’¹⁴⁹ Their activities would be a particularly contentious issue in the U.S. As Aryeh Neier attests, the identification of the ‘death squads’ as military men was something ‘everybody knew,’ but ‘was hotly denied by Reagan administration officials.’¹⁵⁰ There was no shortage of evidence that a ‘consistent pattern’ of human rights abuse was occurring.

The Reagan administration response to the situation in El Salvador was contradictory to say the least. It would leave many question marks hanging over their honesty and handling of the crisis, as well as their continued support of the Salvadoran military forces. Congress would deny 60 percent of the president’s aid requests for El Salvador in the first two years of his term. Yet, that Reagan even applied to Congress to support the activities of the El Salvadoran military could mean only one thing to the El Salvadoran government (who was

¹⁴⁷ Richard D. Lyons, ‘Senate Votes Overhaul of Military Aid,’ *New York Times*, 19 February, 1976; See also, Cyrus R. Vance, ‘Controlling U.S. Arms Sales,’ *New York Times*, 13 May, 1976, for a discussion about the opposition to controls on military aid, particularly Gerald Ford’s opposition to it.

¹⁴⁸ Neier, ‘Of Reagan and Rights,’ *New York Times*, 12 November 1981.

¹⁴⁹ Neier, *Taking Liberties*, p. 190-91.

¹⁵⁰ *Ibid.*

repeatedly failing to curb the incidence of abuses committed by both sides): a ‘green light.’¹⁵¹

As Simcha Jacobovici – writing at the time for *The Globe and Mail* – wrote of the administration’s policies, there was ‘an inherent contradiction between morality and foreign affairs.’¹⁵² It was ever more apparent that while human rights and democratic ideals were important rhetorical goals; in practice, they would cease to be practical policy considerations.¹⁵³ Particularly as human rights violations became increasingly hard to ignore or suppress.

The manipulation of facts and language was a tactic employed by the administration to exploit loopholes in legislation that prevented the provision of support – financial or otherwise – to regimes guilty of human rights abuses. This was an explicit critique of the State Department’s *Country Report for 1981*. In response to the report, America’s Watch issued *U.S. Reporting on Human Rights in El Salvador: Methodology at Odds with Knowledge*.¹⁵⁴ A scathing report on the use of human rights information by the Reagan administration, it is charged that there are ‘serious omissions’ and ‘methodological question[s]’ hanging over the *Country Report*. For example, the *Country Report* cited a ‘downward trend in political violence,’ yet the explanation for the decline in violence

...limits itself to body-count, excluding disappearances, reports of torture and security force attacks on refugee camps and other abuses that would logically fall within the category of “violence.”¹⁵⁵

¹⁵¹ Schmitz, *The United States and Right Wing Dictatorships*, p. 209. Kathryn Sikkink talks of the ‘green light’ that Ronald Reagan gave for repression in Guatemala as ‘the forgotten tragedy of the Reagan administration policy toward Latin America.’ Quoted in Foot, ‘The Cold War and Human Rights,’ p. 450-1. I would argue that there are many, many, ‘forgotten’ tragedies of the administration’s policies toward Latin America.

¹⁵² Simcha Jacobovici, ‘Argentina: the pinch for the U.S.: Human rights or strategy,’ *The Globe and Mail*, 23 May, 1981.

¹⁵³ Coatsworth, ‘The Cold War in Central America,’ p. 210.

¹⁵⁴ Cynthia Brown, ed., *U.S. Reporting on Human Rights in El Salvador: Methodology at Odds with Knowledge* (New York: America’s Watch, 1982).

¹⁵⁵ *Ibid.*, pp. 50-51.

Likewise, the *Country Report* relied exclusively on information from the U.S. embassy, an organisation that was not renowned for its independence.

Unreliable sources would be a common feature of both Embassy reports and the Country Reports of the Reagan administration well into its second term. In their seventh supplement to their human rights report on El Salvador published in 1985, titled *The Continuing Terror*, it was charged that:

The reports prepared by the U.S. Embassy and the accompanying cables give the impression that the overwhelming number of killings in El Salvador are due to violence by the left. In a number of public statements, Embassy officials have stated that, at present, *70 percent of the political violence in El Salvador is due to the left*. This is a *false and misleading picture* of the human rights situation in El Salvador. Among other things, the statistics published by the U.S. Embassy are *inaccurate and unreliable* because, *as in the past*, they are: based only on local newspaper accounts of violence; omit violence by the Armed Forces; grossly undercount death squad victims; and apply inconsistent standards to the violence perpetrated by the right and the left... A most conspicuous omission is any reference to the human rights information announced every Sunday during the homily by the Archbishop of San Salvador (or, in his absence, by the Auxiliary Bishop). In the homily, the Archbishop summarizes the data on political violence for the week in El Salvador as collected by the human rights office of the Archdiocese, Tutela Legal... Tutela Legal publishes lengthy monthly reports with affidavits of witnesses who have seen and describe a wide range of abuses. It is difficult to imagine how a complete picture of the human rights situation in El Salvador can be formed without reference to this source. In short, both the cables and the Statistical reports read not like objective compilations of all available information on human rights, but like briefs prepared for the government and against the opposition. *They are at best the product of self-deception.*¹⁵⁶

As this extract suggests, such primary errors in human rights reporting were endemic in the administration's reporting of human rights situations. The motivation was blatant: to justify

¹⁵⁶ America's Watch Committee, *The Continuing Terror: Seventh Supplement to the Report on Human Rights in El Salvador* (New York: America's Watch, September 1985), pp. 129-30, emphasis my own.

American imperial pursuits through the distortion of human rights information to fit the East-West conflict matrix.

The tipping point for many critics came with the outright denial of the massacre in El Mozote on 11 December 1981.¹⁵⁷ On this day, a ‘Rapid Deployment Infantry Battalion’ or ‘BIRI’ – a unit trained under the supervision of United States military advisors specialising in ‘counter-insurgency warfare’ – interrogated, tortured, and executed the entire village of El Mozote, approximately one hundred and seventeen men, women, children, and infants, and then set their bodies alight.¹⁵⁸ The battalion then executed members of surrounding villages the following day. Newspaper reports at the time would estimate the death toll from the region surrounding El Mozote as high as 733.¹⁵⁹ A UN truth commission would later exhume the remains found in El Mozote; identifying one hundred and forty-three bodies. Of those, one hundred and thirty-one were under the age of twelve and the ‘average age of the children was approximately 6 years.’¹⁶⁰ It was a callous and brutal massacre of unarmed, non-combatant civilians.

News of the massacre would not be broken in the U.S. media until 27 January 1982. The two breaking articles were published in the *New York Times* and *Washington Post*. The *New York Times* article by Raymond Bonner, announced the massacre: ‘733 victims listed’; and the denial of responsibility by the Salvadoran armed forces: ‘those reports were fabricated by “subversives”.’¹⁶¹ The State Department would join the Salvadoran Government in their denial. Thomas O. Enders, Assistant Secretary of State for Inter-American Affairs, testified before a Senate Subcommittee on Foreign Relations that,

¹⁵⁷ Laber, *The Courage of Strangers*, p. 167-68.

¹⁵⁸ United Nations Security Council, ‘From Madness to Hope: The 12-Year War in El Salvador: Report of the Commission on the Truth for El Salvador,’ <http://www.usip.org/files/file/ElSalvador-Report.pdf>.

¹⁵⁹ Raymond Bonner, ‘Massacre of Hundreds Reported in Salvador Village,’ *New York Times*, 27 January 1982.

¹⁶⁰ United Nations Security Council, ‘From Madness to Hope: The 12-Year War in El Salvador: Report of the Commission on the Truth for El Salvador,’ <http://www.usip.org/files/file/ElSalvador-Report.pdf>.

¹⁶¹ Bonner, ‘Massacre of Hundreds Reported in Salvador Village,’ *New York Times*, 27 January 1982.

... civilians did die... but no evidence could be found to confirm that Government forces systematically massacred civilians. Nor does the number of civilians killed even remotely approach the numbers being cited about the incident.¹⁶²

The State Department would tow the same line – disputing the accuracy and legitimacy of the claims of a massacre in a statement issued on 1 February 1982 – trivialising the numbers of victims. It read:

Radio Venceremos [Salvadoran guerrilla radio] issued its first report... on Dec. 27... 192 noncombatants had died in El Mozote... On Jan. 2 it increased the figure to 472... on Jan. 27, press reports in the U.S. raised the figure to 700 “in and around” El Mozote.¹⁶³

The obscuring of facts – such as the event of a massacre – by disputing facts was symptomatic of a deeper problem within the administration. As a House Intelligence Committee report would find in September 1982, the problem was that ‘they [the existence of inaccuracies and oversimplifications] may signal that the environment in which analytic thought and production occur is under pressure to reinforce policy... rather than inform it.’¹⁶⁴ To add insult to injury, one week after the reports of the massacre first surfaced Ronald Reagan signed an Executive Order approving \$US55 million in ‘Defense Department funds and supplies for emergency assistance to El Salvador.’ Again, a direct contravention of U.S. law.¹⁶⁵ The Reagan administration was unscrupulously on the offensive.

A UN truth commission would later find that of the two hundred and forty-five cartridge cases recovered from the El Mozote site, one hundred and eighty-four had been manufactured by the U.S. Government. And, ‘all of the projectiles except one appear to have

¹⁶² Barbara Crossette, ‘U.S. Disputes Report of 926 Killed in El Salvador,’ *New York Times*, 2 February 1982.

¹⁶³ *Ibid.*

¹⁶⁴ David Burnham, ‘House Report Criticizes Intelligence Agencies,’ *New York Times*, 23 September 1982.

¹⁶⁵ Crossette, ‘U.S. Disputes Report of 926 Killed in El Salvador,’ *New York Times*, 2 February 1982.

been fired from United-States manufactured M-16 rifles.¹⁶⁶ Elliott Abrams would later write in defence of U.S. foreign policy: ‘When democracy is under attack, it is neither unfitting nor inhumane for the world’s oldest democratic government to come to its defense.’ One would argue though, that if a ‘democratic government’ is tolerating, even facilitating, illegal and inhumane activity of its client state/s, that it is indeed unfitting and absolutely inhumane. Although the U.S. was not the author of the abuses, they were acting as apologists for them. To borrow the words of Aryeh Neier, the U.S. government was acting as a ‘surrogate villain.’¹⁶⁷

Such behaviour would extend well into Reagan’s second term. Typical responses to criticism aimed to either discredit, down play the seriousness, disparage the testimony of victims, or, as already discussed, point blank denial. A particularly succinct example of the devaluation of the importance of accuracy in human rights reporting is Abrams complaint that ‘there’s an awful lot of nit-picking’ in America’s Watch 1982 response to the State Department’s *Country Report*.¹⁶⁸ Another example was Kirkpatrick’s attempt to downplay, even exonerate, the actions of the Salvadoran armed forces in the case of the nuns who were abducted and later found murdered in 1981, stating that: ‘the nuns were not just nuns. The nuns were also political activists... on behalf of the Frente (FMLN).’¹⁶⁹ To insinuate, as Kirkpatrick had here, that the fate of the nuns was somehow excusable because of their supposed political affiliations is particularly troublesome, especially as she was the U.S. representative to the United Nations. This was a popular tactic. Elliott Abrams took the same tact with regard to the Salvadoran refugee crisis, stating: ‘the refugees there [in El Salvador] are not a representative proportion of the population. Although some are not guerrilla

¹⁶⁶ United Nations Security Council, ‘From Madness to Hope: The 12-Year War in El Salvador: Report of the Commission on the Truth for El Salvador,’ <http://www.usip.org/files/file/ElSalvador-Report.pdf>.

¹⁶⁷ Neier, *Taking Liberties*, p. 169.

¹⁶⁸ _____, ‘U.S. Rights Reports on 12 Nations Criticized,’ *New York Times*, 27 February 1983; see also, Neier, *Taking Liberties*, pp. 200-16. Neier gives a detailed account of administrations attempts to attack and discredit America’s Watch.

¹⁶⁹ Schmitz, *The United States and Right Wing Dictatorships*, p. 209.

sympathizers, others may be.¹⁷⁰ As Reagan administration critic, Charles Maechling Jr. wrote in response to this, ‘the suggestion that to establish credibility, refugees must be representative of the population and enamored of their persecutors would come would come as a surprise to the survivors of Auschwitz.’¹⁷¹ Whilst somewhat melodramatic, Maechling Jr.’s point is clear.

That the Reagan administration purported to respect, defend, and promote human rights made it a primary target for America’s Watch activists. It was expected that perpetrators refused to expose themselves as gross violators of rights. It was not expected of the administration of the ‘oldest democracy’ in the world to act as their guardian. The Reagan administration had been exposed as the leading apologist for human rights abuses throughout Latin America and beyond. America’s Watch had a prominent role in this. America’s Watch reports on El Salvador were read widely by Reagan policy opponents. As Jeri Laber of Human Rights Watch recounts,

America’s Watch reports on El Salvador were eagerly read by people in the United States who deplored the Reagan policies. U.S. public opinion had not been so polarized on a foreign policy issue since the Vietnam War.¹⁷²

The resulting public protest to U.S. policy in El Salvador led to legislation being passed in December of 1981 requiring periodic certification hearings for U.S. economic and military aid to the Latin American state. Every periodic certification of El Salvador was countered with a report independently compiled by America’s Watch evaluating its accuracy. The ferocity of attacks by the Reagan administration ensured the reliability and credibility of America’s Watch reports. Furthermore, the America’s Watch dispute with the Reagan administration would often spill into the public arena, with Neier taking on Abrams in intense

¹⁷⁰ Maechling, Jr., ‘Human Rights Dehumanized,’ p. 118.

¹⁷¹ Ibid.

¹⁷² Laber, *The Courage of Strangers*, p. 168.

and often acrimonious public debates.¹⁷³ This was possible only in the context of the early eighties as presidential credibility was at a low ebb. The America's Watch strategy was simple, as Neier explains:

In effect, we called President Reagan a liar.... Johnson and Nixon had lied, and it did not seem outlandish when we suggested Reagan was lying to achieve one of his foremost foreign policy goals.¹⁷⁴

In portraying enemies of the United States as great violators, and friends as being respectful of – or at the very least making progress on – human rights, the Reagan administration were revealing themselves to be hypocrites. Their attempts at distorting or denying human rights information were exposing them as dishonest apologists. They had backed themselves into a rhetorical trap.¹⁷⁵

The administration's hand had been forced. It was increasingly being called upon, by America's Watch, Congress, the media, and the public, to match its words with deeds. The Reagan administration found itself forced to change tact. On 11 December 1983, Vice President Bush would, for the first time, publicly chastise the El Salvadoran Government. At a dinner hosted by El Salvador's president, Alvaro Magana, in San Salvador, Vice President Bush gave Magana an ultimatum: curb the activities of the 'murderous violence of reactionary minorities,' or 'lose the support of the American people.'¹⁷⁶ The battle was by no means over. The Reagan administration would continue to co-opt human rights discourse and manipulate human rights information to achieve foreign policy goals. As the 1988 *Review of the Department of State's Country Reports on Human Rights Practices for 1987* notes, the Reagan administration was still treating some country reports, El Salvador's being one, as

¹⁷³ For Neier's account of these exchanges see: Aryeh Neier, *Taking Liberties: Four decades in the struggle for rights* (New York: PublicAffairs, 2003), pp 207-210, and 220-21. The acrimony of their exchanges would lead to Abrams refusing to ever publicly engage Neier again in 1984.

¹⁷⁴ *Ibid.*, p. 192.

¹⁷⁵ Guilhot, 'Limiting Sovereignty or Producing Governmentality?' p. 502.

¹⁷⁶ Bush made these statements during a toast at a dinner in his honour by the El Salvadoran president. The transcript of the toast was reproduced in *Terrorism: An International Journal*, vol. 7, no. 3 (1984) under the title: 'U.S. Condemns Salvadoran Death Squads.'

...serving ‘an advocacy function’ for ‘countries where the Administration strongly identifies with the government or perceives important U.S. interests to be served by harmonious relations.’¹⁷⁷ Ultimately, all that would be achieved by the U.S. involvement in El Salvador was stalemate. Duarte’s power was entirely superficial – his political survival wholly dependent upon support provided by the military, the oligarchy and the Reagan administration.¹⁷⁸ The violence in El Salvador would continue largely unabated until the commencement of a peace process in 1990.¹⁷⁹ The first substantive agreement was signed between the Salvadoran Government and the insurgents in July 1990. The 1990 San José Agreement opened the way for broader agreements that led to the final peace accord to be signed in January 1992.¹⁸⁰

The battle with the Reagan administration had a major impact on the way in which human rights was reported and also the way in which activists agitated for change. The reporting procedures and methodology that was developed by AW in the early years of the Reagan administration (and further finetuned throughout the decade) would lead to the style of human rights reporting and monitoring that dominates today. It would also position the Human Rights Watch Committees as leaders in the global human rights activist network – a reputation that would only grow in the decades to follow. As Neier attests,

Our politically charged struggle with the Reagan administration was a testing by fire. Because we survived, we were toughened. It gave Human Rights Watch a degree of prestige that would normally take much longer to achieve, and that we might have never achieved otherwise. When we

¹⁷⁷ America’s Watch, *Review of the Department of State’s Country Reports on Human Rights Practices for 1987* (July 1988), http://hrd.idcpublishers.info.ezproxy2.library.usyd.edu.au/hrd/protected/full-issue.html?organization=2156&document=0036&filename=HRD-2156_033-004.pdf&search=reagan+administration+americas+watch+1988, p. 1.

¹⁷⁸ Schmitz, *The United States and Right Wing Dictatorships*, p. 216.

¹⁷⁹ United Nations Security Council, ‘From Madness to Hope: The 12-Year War in El Salvador: Report of the Commission on the Truth for El Salvador,’ <http://www.usip.org/files/file/ElSalvador-Report.pdf>.

¹⁸⁰ Martha Doggett and Ingrid Kircher, ‘The International Council on Human Rights Policy: Review Meeting: Role of Human Rights in Peace Agreements,’ http://www.ichrp.org/files/papers/55/128_-_El_Salvador_-_Human_Rights_in_Negotiating_Peace_Agreements_Dogget_Martha_Kircher_Ingrid_2005.pdf last accessed 9 May 2012.

began, Amnesty International was the household name. By the time the Reagan years drew to a close, Human Rights Watch was just as significant. The attention we garnered transformed the human rights field. It legitimized a focus on violations of the laws of wars, reporting of abuses by both sides in situations of armed conflict, efforts to hold accountable those responsible for abuses, and confrontations with surrogate villains over their support for those directly responsible.¹⁸¹

Through acknowledging human rights as an important foreign policy issue, the administration opened themselves to being held to account for their role as surrogate villain. Their insistence on lacing their rhetoric in human rights discourse drew America's Watch into the metaphorical lion's den. This resulted in the development and honing of the efficient, credible, and reliable activist model that the global human rights movement operates with today. To revisit Susan Marks, the direction the international human rights movement took at this time was contingent, but by no means accidental, random, or arbitrary.¹⁸²

The new direction human rights took was one of ideological combat: with Reagan, with the Soviets, with the international human rights community.¹⁸³ Latin America featured as a primary battle field as the Reagan administration diagnosed it as being most prone to Soviet influence. And whilst in Latin America U.S. influence, anticommunism, and harsh counter-insurgency techniques all predated the Cold War; the elites of the continent found the Reagan administration a willing accomplice in ensuring the *status quo* was maintained.¹⁸⁴ The U.S. influence in El Salvador is a particularly illustrative case in point. The administration incessantly distorted, downplayed, and outright denied human rights abuses committed by the El Salvadoran government, a staunch U.S. ally. And whilst it would be unfair and inaccurate to charge that the Reagan administration did not care at all about human

¹⁸¹ Neier, *Taking Liberties*, p. 220.

¹⁸² Marks, 'Human Rights and Root Causes,' p. 74.

¹⁸³ Guillhot, 'Limiting Sovereignty or Producing Governmentality?' p. 508.

¹⁸⁴ Foot, 'The Cold War and Human Rights,' p. 451.

rights, they were at the very least cavalier and hypocritical in their stance.¹⁸⁵ In the ideologically prescribed East-West matrix of the Reagan administration, human rights were never truly allowed to get in the way of policy implementation. Therefore the U.S. emerged as the lead apologist for abuses committed by ‘friends’ and allies in the ‘defense of freedom.’ Whilst the bulk of this analysis, for reasons of pertinence, focused on the first term of Reagan’s presidency, America’s Watch would continue to hold Reagan, and his administration, accountable for the entirety of his presidency. It was a ‘testing by fire.’¹⁸⁶ Through their relentless disputation, and emphasis on reliability and accuracy, and even-handed reporting, America’s Watch emerged as a world leader in human rights activism, monitoring, and reporting. Most importantly though, they exposed the Reagan administration for what it was: a ‘surrogate villain.’¹⁸⁷

This chapter has examined the fate of human rights discourse as the battle over human rights as law and human rights as morality was played out in Latin America. The case of El Salvador demonstrated the cavalier and hypocritical way that the Reagan administration treated human rights. Their insistence on framing their foreign policy in human rights discourse led, however, to their rhetorical entrapment.¹⁸⁸ America’s Watch played a key role in holding the Reagan administration accountable. The relentless pursuit to ensure the Reagan administration matched their words and deeds, resulted in the administration being exposed as an apologist for human rights violations and their perpetrators. The scrutiny to which they were subjected as a result of taking on the world’s ‘oldest democracy,’ led to the development of the reliable, accurate, and even-handed system of human rights monitoring and reporting they are world renowned for today.

¹⁸⁵ Hartmann, ‘US Human Rights Policy under Carter and Reagan,’ p. 429.

¹⁸⁶ Neier, *Taking Liberties*, p. 220.

¹⁸⁷ Ibid.

¹⁸⁸ Guillhot, ‘Limiting Sovereignty or Producing Governmentality?’ p. 502.

Conclusion

‘A Rhetoric of Convenience’?

Human Rights Discourse under Reagan

Facts are stupid things – *stubborn* things I should say.

– Ronald Reagan, Remarks at the Republican National Convention in New Orleans, Louisiana, August 15, 1988

When the United Nations proclaimed the Universal Declaration of Human Rights ‘a common standard of achievement for all people and nations,’ many believed that they had witnessed a ‘revolution’ in human rights.¹⁸⁹ Certainly, the Universal Declaration of Human Rights was a momentous achievement that marked the transition from collective minority rights to individual rights. However, the Universal Declaration of Human Rights, as rights agreements before it, lacked enforceability. The post-World War II world order remained anchored in the old ways of empire and the sanctity of state sovereignty. This left the Universal Declaration of Human Rights incapable of moving beyond the idealism and sentiment that it embodied; it was therefore left reeling in the wake of the onset of the Cold War and wars of decolonisation. Whilst human rights made cameo appearances throughout the next few decades – various causes, such as self-determination, found human rights discourse a useful and compelling vocabulary for articulating claims within the global arena – they did not appear again with any great force until the 1970s. The Helsinki Accords would mark their re-entrance to the global arena in a big way. It would be the catalyst for the

¹⁸⁹ United Nations General Assembly, ‘Preamble,’ *United Nations Declaration of Human Rights*, <http://www.unhcr.org/refworld/docid/3ae6b3712c.html>.

‘enforcement revolution,’ as local activist networks formed to ensure their governments complied with its principles. The Helsinki Watch Committees (now known as Human Rights Watch) – Moscow Watch, Helsinki Watch, and later, America’s Watch– were children of this revolution, and as discussed in Chapter One, had significant impact on the trajectory of human rights discourse and activism.

The late 1970s had seen the politics of anti-politics bring human rights from the periphery of politics to the heart of global rhetoric. The presidency of Jimmy Carter was, as discussed in Chapter Two, fundamental to this. Carter’s attempt to transform foreign policy into a form of moral interventionism was *damnosa hereditas*. The centralisation of human rights in foreign policy considerations under Carter led to their denigration under the Reagan administration. The cavalier attitude by which human rights were manipulated and misconstrued, and abuses facilitated through continued U.S. support, resulted in the Reagan administration being the lead apologist for oppressive right-wing regimes, such as the El Salvadoran government, and a surrogate villain. For the Reagan administration, human rights were no more than ‘rhetoric of convenience.’¹⁹⁰ The extent to which the integrity of the human rights movement itself was damaged as a result was ameliorated by the dogged activism of America’s Watch. The constant disputation of human rights information, coupled with the rapid development of a highly effective strategy of human rights monitoring and reporting was central to the battle to bring human rights back to its grounding in law. The decoupling of human rights from international law and its relocation to the realm of morality was a fundamental and highly problematic element of the Reaganite conception of human rights.¹⁹¹

¹⁹⁰ Brown, ed., *With Friends Like These*, p. 2.

¹⁹¹ In ‘Humanity Without Feathers,’ Lynn Festa highlights the circularity of moral humanity. Festa argues that an emphasis on morality in human rights relies on sentimentality and the ability to elicit sympathy through suffering. It is a poor basis on which to ground ethics in that it is illogical and erratic and results in an ‘unstable

As Nicolas Guilhot, citing Hannah Arendt, reminds us: the question that drove the American constitutional process was not ‘how can we limit power?’ but ‘how can we establish freedom?’ With this in mind, it is conceivable how the Reagan administration arrived at the theoretical grounding that it did with its foreign policy.¹⁹² Conflating the promotion of American-style democracy and the achievement of human rights was therefore a natural ideological progression when the ultimate goal was ‘freedom.’ What was inherently problematic in all this was that the Reagan administration conceived of human rights as being secured *only* through the establishment of American-style democracy, and their own interpretation of ‘freedom.’ Consequently, human rights became exclusive, and something to be bestowed, wholly contingent on one’s membership in the American democratic political community.¹⁹³ Human rights, in the Reagan worldview, rather than being universal, became privileges enjoyed only by citizens of advanced, democratic states. The Reagan administration’s conception of human rights thus becomes comparable to Arendt’s famous ‘paradox of human rights.’ That is, the moment in which a person was in most need of their rights – for example, the treatment of unarmed non-combatant civilians by the El Salvadoran government as discussed in Chapter Three – the administration was willing obstruct, and even attack, authorities and institutions who had the capacity to assist, themselves included. In doing so, the Reagan administration threatened to relegate human rights back to the realm of unenforceable.¹⁹⁴

America’s Watch played a pivotal role in ensuring that human rights remained enforceable. Through openly criticising the treatment of human rights information, as well as

definition of humanity.’ This is evident in the neoconservative conception of human rights. As many Latin American civilians, such as the El Salvadorans, were denied their rights as they were deemed unready for ‘democracy’ while Cold War anxieties held them in a purgatory of political violence and persecution. The matrix of Cold War bipolarities skewed perceptions of suffering and humanity. See: Lynn Festa, ‘Humanity Without Feathers,’ *Humanity*, vol. 1, no. 1 (Fall, 2010), pp. 3-23.

¹⁹² Guilhot, ‘Limiting Sovereignty or Producing Governmentality?’ p. 513.

¹⁹³ Reagan conceived of ‘democracy’ in a particular way. That is, one in which civil institutions, such as the press, unions, political parties, universities, are independent of the state apparatus.

¹⁹⁴ Hannah Arendt, *The Origins of Totalitarianism* (New York: Harcourt Brace, 1951), p. 291.

the legality of the government's actions, America's Watch ensured that the Reagan administration was held accountable for the grievously flippant way they treated human rights. For the administration, they were little more than a vehicle to deliver policy with little or no regard given to facts. By 'shading the presentation of violations' committed by perceived allies, as one America's Watch report put it, America's Watch exposed the Reagan administration to be very much the surrogate villain.¹⁹⁵ Such accusations were not taken lightly. The neutral, credible and reliable system of monitoring and reporting human rights situations that Human Rights Watch is renowned for today developed under the intense scrutiny and sustained criticism of the Reagan administration.¹⁹⁶ Despite this, the administration maintained – to varying degrees – its cavalier attitude to human rights. Continuing to support and privilege 'friendly' states by excusing or ignoring human rights violations. And 'with friends like these' supporting you, what impetus did violators of human rights have to curb their behaviour?¹⁹⁷ The violence in El Salvador, for example, continued unabated until the early 1990s.

Human rights mean different things to different people. Whilst the U.S. government was being held more accountable for its behaviour, the 'idea' of human rights was still being imbued with a multitude of meanings – by all parties involved. The battle that waged between America's Watch and the Reagan administration was not simply over facts. It was an ideological battle over their very nature: human rights as law versus human rights as morality. The debate over the meaning of Human Rights proper and what counts under its banner, still rages today. The contentious nature of the debate is never far from the surface. For example, Aryeh Neier famously lost the battle over the status of social and economic

¹⁹⁵ America's Watch, *Review of the Department of State's Country Reports on Human Rights Practices for 1987* (July 1988), http://hrd.idcpublishers.info.ezproxy2.library.usyd.edu.au/hrd/protected/full-issue.html?organization=2156&document=0036&filename=HRD-2156_033-004.pdf&search=reagan+administration+americas+watch+1988.

¹⁹⁶ Marks, 'Human Rights and Root Causes,' p. 74.

¹⁹⁷ Brown, ed., *With Friends Like These*, p. iii.

rights as human rights within the organisation that he had helped found.¹⁹⁸ That there is a struggle over the true ‘meaning’ of human rights at all is as problematical as it is promising. As Samuel Moyn duly warns, ‘...in pretending that human rights works according to moral principles on which everyone already agrees... depoliticize[s] what ought to be real fights over principles.’¹⁹⁹ These principles, like humanity, are constantly in flux and renewed, and so can never be permanently secured as such, nor represent a set core of beliefs. Rhetorical arguments about the existence of human rights ensure their vitality as an ‘idea’ – even when behaviours threaten their protection and implementation.²⁰⁰ To borrow the words of Hannah Arendt, ‘basically we are always educating for a world that is or is becoming out of joint, for this is the basic human situation, in which the world is created by mortal hands to serve mortals for a limited time as home.’²⁰¹

¹⁹⁸ Samuel Moyn, ‘Reflections on “The Last Utopia”,’: A Conversation with Samuel Moyn,’ *Journal of Human Rights Practice*, vol. 3, no. 2 (2011) p. 132. Neier explains his position in *Taking Liberties*, see pp. xxix-xxxii.

¹⁹⁹ Moyn, ‘Reflections on “The Last Utopia”,’ p. 131.

²⁰⁰ Foot, ‘The Cold War and Human Rights,’ p. 445.

²⁰¹ Hannah Arendt, *Between Past and Future* (New York: Penguin Books, 1961), p. 192.

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