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UK Foreign Policy and Human Rights

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UK Foreign Policy and Human Rights

Abstract

William Hague's assertion that human rights should constitute the "irreducible core" of foreign policy under the new UK coalition government may seem a radical departure for the new Foreign Secretary. Hague is, after all, a leading figure in the British Conservative Party, which in its recent election manifesto called for the repeal of the UK's Human Rights Act that incorporates the European Convention on Human Rights into UK law. Given this profound ambivalence over the substantive value of human rights at home, the new UK government is not likely to adopt more assertive human rights policies abroad. Human rights advocates may lament Hague's lack of policy details with regards to human rights, but the UK government is likely to continue to pledge allegiance to the lofty ideals of human rights, while resisting providing specific policy details on what role human rights will and should play in the government's foreign policy. Clearly, it is the role of organizations such as Human Rights Watch to push governments to convert rhetoric into practice. While this endeavour is never uncomplicated, human rights organizations lobbying the UK government are currently facing an increasingly steep uphill struggle.

Keywords

Human rights, United Kingdom foreign policy, European Convention on Human Rights, International criminal justice, National security

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Uk foreign Policy and Human Rights

by Par Engstrom

William Hague's assertion that human rights should constitute the "irreducible core" of foreign policy under the new UK coalition government may seem a radical departure for the new Foreign Secretary. Hague is, after all, a leading figure in the British Conservative Party, which in its recent election manifesto called for the repeal of the UK's Human Rights Act that incorporates the European Convention on Human Rights into UK law. Given this profound ambivalence over the substantive value of human rights at home, the new UK government is not likely to adopt more assertive human rights policies abroad. Human rights advocates may lament Hague's lack of policy details with regards to human rights, but the UK government is likely to continue to pledge allegiance to the lofty ideals of human rights, while resisting providing specific policy details on what role human rights will and should play in the government's foreign policy. Clearly, it is the role of organizations such as Human Rights Watch to push governments to convert rhetoric into practice. While this endeavour is never uncomplicated, human rights organizations lobbying the UK government are currently facing an increasingly steep uphill struggle.

In recent years, UK governments have been at the forefront in efforts to shift the normative balance between human rights and security in the name of "war on terrorism." The results of these efforts both at home (explosive growth of anti-terrorism legislation) and abroad (collusion in torture) are widely documented. For many, these threats to human rights have shown the inherent power-based logic underpinning the global human rights regime. For others, however, the resilience and normative strength of the human rights system is demonstrated by the ways in which the human rights discourse has re-asserted itself, challenging even the most powerful.

It is in this fragile domestic and global context that the UK's future voice on human rights is likely to remain inconsistent at best. Indeed, state policies on human rights tend not to be consistent, especially when human rights policies clash with what is perceived to be in states' self-interest, whether those interests involve commercial ties with abusing states or the prospects of information from a terrorist suspect subjected to "stress and duress" by foreign intelligence services. Therefore, in relation to international criminal justice, for example, the "push-back from some political leaders determined to avoid accountability" that Tom Porteous refers to may not only come from "the usual suspects," but could also include Tony Blair, whose indictment by the International Criminal Court was portrayed, in a legally highly implausible but politically suggestive fashion, in Robert Harris's novel, *The Ghost* (recently translated to the big screen by Roman Polanski). And it is not likely that the current UK government will take a leading role on issues related to accountability for grave international crimes with British soldiers engaged in increasingly deadly and dirty counter-insurgency operations in Afghanistan.

Beyond these more immediate human rights concerns however, the global human rights regime is facing potentially even more destabilizing challenges. These are most acutely reflected in ongoing debates surrounding the meaning and wider implications of the rise of non-Western states and shifting global power balances. It is clearly the case that the emergence and consolidation of the international human rights regime has coincided with and resulted from the expansion of the global liberal order sustained and promoted by Western states in general and the

US in particular. If power is important in understanding the rise of international human rights, what are then the implications for human rights as power shifts in the international system? Porteous argues that support for human rights can act as a substitute for economic and military power for declining states such as the UK. Yet, values are not easily separated from the hard power that underpins them. As US hegemony (and Western liberalism more generally) becomes increasingly challenged by rising powers, the status of human rights as the dominant moral discourse may come under threat as well. It should therefore be somewhat reassuring for human rights advocates that the evolution of human rights has become, to some extent, decoupled from the hard power of Western states.

Given this broader scenario then, support for human rights may indeed serve the UK's (and the US's) long-term interests as Porteous suggests. But, just as ignoring human rights can be "a recipe for failure and further instability," so too can justifying coercive foreign policies by recourse to the rhetoric of human rights have dire consequences. For many in the UK at least, the jury is still out in this regard in relation to most such foreign policy initiatives under the Blair government. There is therefore a strong case for prudence when promoting human rights. The current UK government is likely—not least given the dismal domestic economic situation—to focus on domestic rather than foreign policy. Hence, even if anyone is willing to listen to the UK government when it comes to human rights, it remains to be seen whether it will have anything to say.

Par Engstrom is lecturer in human rights at the Human Rights Consortium, School of Advanced Study, University of London, and teaches at the Institute of Commonwealth Studies and the Institute for the Study of the Americas. Current research interests focus on regional human rights institutions both comparatively and with a particular reference to the Inter-American Human Rights System. Further research interests include the relationship between human rights and democratization; transitional justice; the international relations of the Americas; human rights, humanitarianism, and foreign policy; and theories of international relations, particularly relating to international law and institutions. <http://sas.academia.edu/ParEngstrom/About>