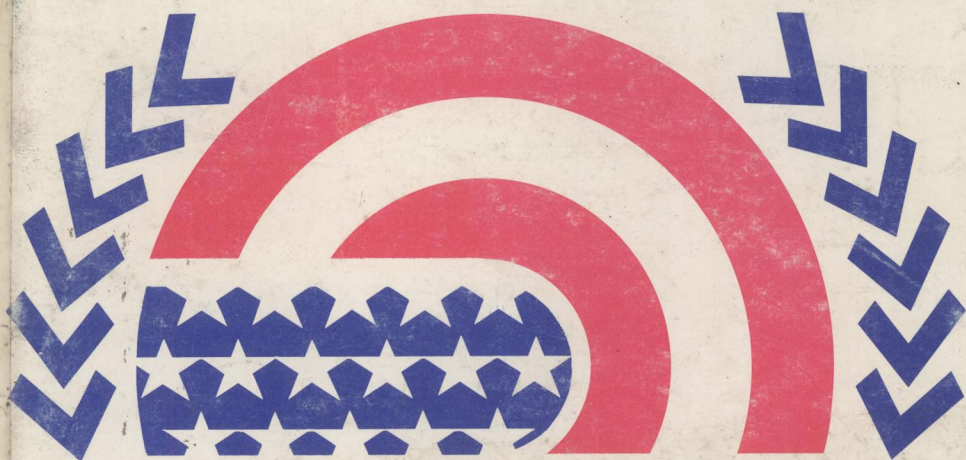


The
UNITED STATES,
The
UNITED NATIONS,
and
HUMAN RIGHTS

The ELEANOR ROOSEVELT
and JIMMY CARTER Eras



A. GLENN MOWER, JR.

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Introduction

Human rights has been both a problem and a concern for the American people and their government; both have long wrestled with the question of the relationship between morality and public policy. This issue has arisen in the specific area of foreign policy, where much controversy has raged over the place of moral principles, including respect for human rights, in the process of arriving at decisions. The debate has pitted "realists" against "idealists" with the former emphasizing considerations of national security and objecting to the introduction of moral principles into the foreign policy-making process in any determinative way. From this position they have argued that (1) moral principles are too vague and susceptible to different interpretations to provide dependable guidance for policy decisions, (2) an overcommitment to ideals can lead a nation into foreign policy adventures which exact a heavy toll in human lives and resources, and (3) commitment to moral principles produces a rigidity of outlook and consequent inability to effect the compromises which are essential to any level of political experience.

"Idealists," on the other hand, have not denied the primacy of national security in foreign policy making but have insisted that this goal is capable of differing definitions¹ and can be served through an application of moral principles to foreign policy. Their arguments have included the contentions that (1) moral principles are

basic to American society, and therefore this country cannot maintain its integrity unless its foreign policy responds to and reflects such principles, (2) the "realist" position is not truly realistic, since, by subordinating human values to considerations of *realpolitik*, it creates volatile situations which will eventually destroy the very security and stability sought by the realist through "practical" politics, and (3) an unprincipled foreign policy is sterile, lacking in purpose, and incapable of commanding the respect and support either of its own people, without which no policy can long endure, or of other countries whose support is also necessary.

Standing between these two camps have been those who reject the "either-or" approach, insisting that moral principles like respect for human rights belong in American foreign policy but cannot be expected to control all decisions all the time; rather, they are part of the mix of factors influencing foreign policy judgments. This does not, of course, settle the argument, for the debate continues at the point of the nature of the mix: the relative strength, in any situation, of the two approaches.

In recent years, the debate over the place of morality in American foreign policy became more lively and relevant because of the dominance in the foreign policy-making process of the former Secretary of State, Henry A. Kissinger. Secretary Kissinger was frequently accused of being indifferent to moral principles in general and human rights in particular, choosing to base American foreign policy on the implications of the distribution of power on the international scene for American interests. While he was convinced of the importance of power considerations, at the same time, he contended that moral principles must, and in fact did, have a place in United States policy. Thus, in a typical blending of realism and moralism, he told one audience,

Our choice is not between morality and pragmatism. We cannot escape either, nor are they incompatible. This nation must be true to its own beliefs or it will lose its bearings in the world. But at the same time it must survive in a world of sovereign nations and competing wills. We need moral strength to select among often agonizing choices and a sense of purpose to navigate between the shoals of difficult decisions. But we need as well a mature sense of means, lest we substitute wishful thinking for the requirements of survival.

And later in the same remarks he proclaimed peace to be, itself, a "moral imperative."²

Secretary Kissinger's inclination to attempt to defuse the debate over moralism by taking a stand on his own definition of morality is illustrated by the issue of Jews seeking to emigrate from the Soviet Union. Here the question was whether or not the United States should champion the cause of human rights by putting pressure on the Soviet government to permit the Jews who wanted to leave Russia to do so, using trade concessions as leverage. Kissinger's position was that there was a higher morality involved in the situation: the avoidance of war. This moral objective was seen as requiring good United States-Soviet relations, and these could be seriously disturbed if the United States insisted on trying to tell the Soviets how to manage their internal affairs. The right of millions of people to live, in other words, took precedence over the right of a relative handful of people to freedom of movement.

This same kind of "macro" vs "micro" rights debate can, of course, be joined in many foreign policy situations and the appeal to some "larger right" used to justify American support of a Greek or South Korean repressive regime, continued purchase of Rhodesian chrome, or other practices which appear, to some critics, to be inconsistent with America's dedication to human rights. To some, this approach is acceptable as a necessary and proper way to reconcile the practical political imperatives of the moment with accepted moral principles and to prevent a shortsighted brand of idealism from doing serious injury to the greater good of a greater number of people.

Others see the "larger right" as too remote to be relevant and as inviting the rejoinder that "in the long run, we're all dead." This position asserts that the immediate problem, not some far-distant possible eventuality or consideration, should control.³

Opinions will obviously differ on the relative merits of these two viewpoints. Both could be expected to be heard increasingly whenever something like the assumption of the presidency by Jimmy Carter gives new impetus to the discussion of the place of human rights in American foreign policy. The Carter administration was clearly expected to add a new chapter to a long history of this issue, and it was also generally anticipated that under President Carter

the United States would resume the leadership in the field of human rights which it exerted in the 1940s.

The 1940s was the time when the United States was a primary mover in the creation of the United Nations and in committing the UN to the task of providing international promotion and protection for human rights and fundamental freedoms. In the history of the place of human rights in U.S. foreign policy, this can be called the Eleanor Roosevelt era, since she was the single most influential person in the early development of the UN's human rights program and the principal agent through whom the American government worked to achieve its foreign policy objectives in the area of the UN and human rights. The experience of this period provides a useful and instructive background to attempts to relate human rights to U.S. foreign policy in the later, Jimmy Carter era. While the Carter presidency was less than halfway through its first term at the time of this writing, the impact of the thirty-ninth President was already so substantial as to justify the assumption that the years immediately following his inauguration would be called the "Carter era" in the continuing story of America's involvement in international human rights affairs.

Notes

1. The same point is made, in reverse, by the "realist," who may argue that "pragmatic" approaches to problems are really serving a longer-range and broader definition of moral principles. "Security" is thus presented as, in itself, a moral principle.
2. "The Moral Foundations of Foreign Policy," address before the Upper Midwest Council, Minneapolis, Minnesota, July 15, 1975.
3. As a further example of the complexity of relating human rights to foreign policy, it should be noted that some observers see an immediate danger to the basic freedom, from aggression, in the "military threat" of an expansionist communism, and use the "right to be free from aggression" as justification not only for a buildup of American security capability but for support of any regime which seems to offer some barrier to aggressive forces, regardless of how undemocratic this regime may be.

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Part 1

The Eleanor
Roosevelt Era

The United States, Human Rights, and the UN Charter

The official commitment of the United States government to the cause of international protection of human rights began to make itself felt in the discussions of the kind of world organization which was to be created after World War II had been won. An early demonstration of American interest in human rights was given by President Franklin Roosevelt in the "Four Freedoms" section of his January 1941 State of the Union Message. An enduring peace, said the President, could not be bought by other people's freedoms; rather, "the world order which we seek is the cooperation of free countries, working together in a friendly, civilized way." Therefore, continued Roosevelt, "we look forward to a world founded upon four essential freedoms," which he identified as freedom of speech and expression, freedom to worship as one chooses, freedom from want, and freedom from fear of aggression, and these freedoms were to prevail "everywhere in the world."¹

In this brief message, President Roosevelt included at least three points which have been central to discussions of human rights in United States foreign policy: (1) human rights everywhere would be an American concern, (2) the rights to be served were both civil-political and economic-social, and (3) international peace and security was itself a human right, an attitude which was later reflected in the approach taken by Secretary of State Kissinger to the question of human rights.

The "Four Freedoms" speech was followed the same year by the Atlantic Charter, a product of the meeting between President Roosevelt and Britain's Prime Minister Winston Churchill. This joint pronouncement mentioned only two freedoms: from fear and from want, a deficiency which the President sought to correct in a subsequent message to the United States Congress. "It is unnecessary for me to point out that the declaration of principles includes, of necessity, the world need for freedom of information and religion. No society of the world organized under the announced principles could survive without these freedoms, which are a part of the whole freedom for which we strive."²

These wartime pronouncements indicate that human rights was as useful a concept in the conduct of American foreign policy during the hot war of the 1940s as it was in the later cold war. Regardless of what its real motivation may have been, this war effort had to be presented as being more than a power struggle and an opportunity to enhance America's position in the world, and this purpose could be well served by public and repeated commitments to a new world order, based on the ideals of freedom and justice. Accordingly, the world was told that "the final destruction of the Nazi tyranny" was to be followed by the kind of peace which would assure all people that they could live in freedom from fear and want.³

The Roosevelt foreign policy prescription included not only a statement of general objectives but an acknowledgment that these goals called for one other: an international organization through which they could be realized. This was made clear in President Roosevelt's statement in May 1944.

And so we have an objective today, and that is to join with the other nations of the world not in such a way that some other nation could decide whether we were to build a dam on the Conestoga Creek, but for general world peace in setting up some machinery for talking things over with other nations, without taking away the independence of the United States, in any shape, manner, or form, . . . with the objective of working so closely that, if some nation or combination of nations in the world started to run amok and sought to grab territory or invade its neighbors, there would be a unanimity of opinion that the time to stop them was before they got started.

President Roosevelt then recalled that the League of Nations had had this same purpose but had become involved in American politics

instead of being regarded as a nonpartisan subject. Efforts were being made, continued the President, to see that this did not happen again. The Secretary of State and he were working in conferences with the duly constituted constitutional machinery of government, which in this case was Senators on the Foreign Relations Committee, four from each party. "And so far," said the President, "the conversations with them have been conducted on a very high level of nonpartisanship; so far, they have worked very well."⁴

Franklin Roosevelt's goals for the postwar world, as he stated them, were substantially those of Woodrow Wilson; as Jim Bishop has noted, "No one who worked close to the President in 1944 misunderstood his overwhelming desire to establish an equitable, working, peace-enforcing international body."⁵ He was determined not only to accomplish what Wilson had achieved in the creation of an international organization but to do what Wilson had failed to do: put the United States into this organization. This was a policy objective which he continued to hold and promote, despite the fact that his United Nations concept, expressed at Casablanca and Teheran, "received no applause from Great Britain and a bearish frown from the Soviet Union."⁶ It was an objective, too, which he was not inclined to risk losing through mismanagement of the critical political process of executive-legislative relationships: hence the significance of his allusion to cooperation with congressional leaders and his later appointment of a delegation to the United Nations Conference on International Organization at San Francisco (UNCIO) which included both Democrats and Republicans in a four-man congressional contingent.⁷

The American foreign policy objective was thus a stable world embodying the status quo as fixed by the victory over the Axis powers. It was to be a world so organized that any threats to this status would be checked early by the cooperative action of nations opposed to aggression. While the world society would have the protection of a security organization empowered to act, this organization would not be so powerful as to threaten the sovereignty of the nations. Nor, as the "Four Freedoms" speech had indicated, was it to be only a politically oriented organization, confined to the peace and security realm of action.

With the humanitarian aspects of the proposed postwar organization in mind, the American Department of State directed some of