

COMPARATIVE FOREIGN POLICY AND HUMAN RIGHTS: THE UNITED STATES AND OTHER DEMOCRACIES

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Keywords: Human Rights, Liberal Democracy, Foreign Policy

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Summary

States are primarily responsible for the promotion and protection of human rights. To a large extent every state's foreign policy pertaining to human rights is shaped by its political culture. Personal freedom and American exceptionalism constitute the core of American political culture. Thus the U.S. continues to exclusively emphasize civil and political rights. But where the U.S. has important economic or political interests, Washington has not sought to link human rights performance with either multilateral or bilateral economic transactions. Thus U.S. foreign policy on international human rights has been inconsistent.

Many liberal democracies in Europe also find it difficult to establish a consistent, principled policy when domestic and foreign factors interact. Although illiberal states are not rights protective, they are being cajoled into addressing human rights. Changes do occur over time, even in the most repressive of states especially when there is sustained international pressure. Thus it is fair to say that despite inconsistency, International human rights are more prominent in foreign policy today than at its inception fifty years ago.

1. Introduction

The United Nations Charter in its Articles 55 and 56 required states to cooperate on human rights matters, and the 1948 Universal Declaration of Human Rights was the first inter-governmental statement in world history to approve a set of basic principles on universal human rights. Since the 1940s, almost all states--not just western ones--have regularly reaffirmed the existence of universal human rights without negative discrimination based on nationality, ethnicity, gender, race, creed, or color. This reaffirmation occurred most saliently at the 1993 United Nations conference on human rights at Vienna. Regional developments have supplemented this global trend, most notably in Europe and the Western Hemisphere, but also in Africa and to a lesser extent the Arab world. The international or transnational law of human rights is now a well developed corpus of law, far more concentrated and specified than other fields such as international environmental law.

The Twentieth Century, however, is not only a time of increasing professions of international morality and human rights, but also the bloodiest century in human history. At the start of the Twenty-first Century, a fundamental challenge is how to reduce the enormous gap between the liberal international framework on human rights that most states have formally endorsed, and the illiberal reality that is so evident from Algeria to Afghanistan, from Belarus to Burma, from China to Croatia.

The most important problem is not that certain Asian and other states at the 1993 Vienna Conference tried to elevate cultural relativism and national particularism over universal (or regional) human rights. The more important problem is that after the Cold War we are now faced with gross violations of human rights on a massive scale. Treaties to protect the rights of women and children are juxtaposed to a global industry in the sex trade. Treaties to outlaw slavery, the slave trade, and slavery-like practices are combined with daily press accounts of persons held in de facto bondage--whether sugar cane cutters in the Dominican Republic, shirt makers in Guatemala, or child laborers in India and Pakistan. Two 1977 protocols to the 1949 Geneva Conventions for victims of war meant nothing to those who killed Red Cross workers in Chechnya or U.N. aid workers in Rwanda.

While inter-governmental organizations and private transnational groups dealing with human rights proliferate, one key to progressive developments remains states and their foreign policies. IGOs, from the UN through the OAS to the new Organization for Security and Cooperation in Europe have extensive human rights programs. Independent international officials for these organizations generate some influence. But it is state-members of these IGOs that take official and sometimes important decisions, and it is states, along with non-state parties, that are the targets of reform efforts. Likewise, NGOs such as Amnesty International, Human Rights Watch, and Physicians for Human Rights, among others, are highly active in human rights matters and generate some influence. But again, it is states that approve treaties and their monitoring mechanisms, states that (may or may not) arrest war criminals--either singly or via international organizations such as North Atlantic Treaty Organization, states that might manipulate foreign assistance and laws on investment in relation to rights.

This essay looks at human rights and state foreign policy in comparative perspective. It starts with a focus on the United States, the most important actor in international relations on the eve of the Twenty-first Century. It can be shown that the U.S. has a particular slant to its foreign policy on rights, and that Washington is more prone to preach to others than to take international rights standards very seriously at home. The essay then provides a comparative analysis of human rights in the foreign policy of some other states that either are liberal democracies or aspire to be so. It will be shown that most differ from the U.S. approach in one way or another, due to a varying combination of history and political culture, geo-political position, and perceived national interests. This is followed by a brief commentary on the human rights policies of some illiberal states such as Iran. Finally, the essay offers some concluding thoughts about human rights and foreign policy. The accent is on the positive, despite ample reason for reserve about the immediate future. While predicting the future is a notoriously risky business, the one-hundredth anniversary of the Universal Declaration of Human Rights is likely to be more joyous than the fiftieth.

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