

**Praise for**  
**IMPLEMENTING U.S. HUMAN RIGHTS POLICY**

*“Implementing U.S. Human Rights Policy* turns the spotlight on the United States’ mixed record of promoting human rights throughout the world. The cases explored in this volume will prompt sober reflection and perhaps some regret for missed opportunities. However, they also will inspire pride in America’s abiding commitment to the cause of human rights and hope that the United States can play a robust role as a champion of freedom even more effectively in the future.”

JIMMY CARTER

President of the United States, 1977–81

“Over the past quarter-century, human rights have become a major concern in U.S. foreign policy, but rarely is that concern implemented in a coherent and compelling fashion. Students, scholars, activists, and policymakers seeking to understand why will find no better guide than this outstanding collection. With detailed and accessible case studies by an exceptional group of country specialists, *Implementing U.S. Human Rights Policy* analyzes the possibilities, contradictions, and constraints in U.S. foreign policy and, most crucially, the conditions for making human rights count in widely varying contexts. Timely, constructive, and informative, this book should be read by anyone who cares about improving human rights around the world.”

LARRY DIAMOND

Senior Fellow at the Hoover Institution, Stanford University

“The stated objective of American foreign policy is to help make the 21st Century the Century of Democracy and Human Dignity. How realistic is that aim? How effective will those opponents be whose power is thereby threatened and who will resist that objective? How determined and consistent will we be as we face those who resist and retaliate with violence? This volume should help us understand where we are on the way to our goal and what obstacles still lie in our way.”

MAX M. KAMPELMAN

Ambassador and Former Head of the U.S. Delegation to the  
Conference on Security and Cooperation in Europe;  
Chairman Emeritus, Freedom House

“This volume offers a unique and extensive analysis of the evolution of U.S. human rights policy in fourteen key countries and places that policy evolution thoughtfully within the broader frame of U.S. foreign policy and bilateral relations. A most useful volume—one that I will consult frequently in my own work.”

HAROLD KOH

Gerard C. and Bernice Latrobe Smith Professor of International Law,  
Yale Law School

“As the United States continues to wage the War on Terrorism, it is imperative that we understand these serious new challenges within the context of our larger fight for global human rights. *Implementing U.S. Human Rights Policy* underscores the United States’ paramount commitment to fighting for the values of human rights. Providing a wide range of different opinions on how these sacred values ought to be defended through our foreign policy, *Implementing U.S. Human Rights Policy* is a truly significant contribution in this crucial national debate.”

TOM LANTOS

Ranking Member, House International Relations Committee, and  
Co-Chairman, Congressional Human Rights Caucus,  
U.S. House of Representatives

“The goals of human rights policy are generally clear, but implementing policies that successfully achieve these goals is often devilishly difficult. Debra Liang-Fenton has performed an exceedingly valuable service by bringing together a wide-ranging collection of case studies that illuminates the problems faced by U.S. policymakers seeking to promote human rights abroad.”

MARC F. PLATTNER

Editor, *Journal of Democracy*

“This helpful collection of essays fills a significant gap in the literature. It uses a series of informative case studies to present the complex portrait of the ambiguities and trade-offs in U.S. foreign policy, where, since the mid-1970s, the promotion of human rights has been balanced with the more traditional concerns of the world’s only surviving superpower.”

WILLIAM SCHABAS

Director, Irish Centre for Human Rights,  
National University of Ireland, Galway

“This thought-provoking book offers readers a unique perspective by connecting academic study and policy work in its examination of the United States’ role in protecting and enforcing human rights policies. This important contribution allows us to move away from simple slogans and old formulations and instead look critically at what works in the pursuit of human rights today.”

WILLIAM F. SCHULZ

Executive Director, Amnesty International USA

“In a world wracked by conflict and terrorism, the promotion of human rights has become increasingly important to international security. This useful volume of essays edited by Debra Liang-Fenton traces the growth of human rights promotion in U.S. foreign policy over the last decade and offers lessons for policymakers drawn from fourteen different country situations. With its practical emphasis on ‘what works’ and what doesn’t, the book offers valuable insights into the interplay between human rights and other competing—and often dominant—interests in foreign policy.”

JOHN SHATTUCK

CEO, John F. Kennedy Library Foundation; Former Assistant Secretary of State for Democracy, Human Rights, and Labor

# Implementing U.S. Human Rights Policy



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*Agendas, Policies, and Practices*

EDITED BY DEBRA LIANG-FENTON



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# Foreword

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President Jimmy Carter's decision to make the promotion of human rights a key aspect of his administration's foreign policy was a dramatic but risky innovation. President Reagan was later to show that human rights could be a powerful force for change in adversary states such as the Soviet Union, but Carter's initiative held dangers—as proponents of *realpolitik* were quick to point out—because it constrained America's ability to pursue core national interests such as the maintenance of vital security relationships and the development of foreign trade and investment. Many of the geostrategically important countries with which the United States had close ties were run by repressive regimes. Would the United States put those ties at risk for the sake of denouncing human rights abuses? Carter's decision was also risky because it opened up the United States to accusations of moral deceit and hypocrisy. Public proclamations from the White House of a national commitment to the cause of human rights would ring embarrassingly hollow when, as was inevitable, the United States would find it either inexpedient or impossible to insist that all of its client states and allies forsake their rights-abusing ways. Also, and somewhat contradictorily, experience has shown that our government tends to apply human rights standards selectively, demanding more of friendly states than of adversaries.

These risks associated with human rights promotion were real, and remain so. Indeed, they have been amplified by the declaration of the war on terrorism, which has been presented as a fight not only for U.S. national security but also for the human dignity of the peoples held captive by repressive regimes that breed and support terrorists. Countries such as Saudi Arabia and Pakistan, with their high

geostrategic importance and poor human rights records, illustrate the near impossibility of waging a fight on both these fronts simultaneously. Furthermore, these dilemmas can exact a significant price in terms of the coherence of, and support for, U.S. foreign policy objectives. For instance, the erosion of international sympathy and support for the United States since the attacks of 9/11 is fueled in part by a widespread perception that U.S. declarations of high moral purpose in its war on terrorism are hypocritical and self-serving.

How should the United States deal with this dilemma? Should it abandon its commitment to human rights? To do so would be to turn America's back on the considerable advances made over the past fifty years in international acceptance of the notion of inalienable individual rights. To do so would be to deny the long-term advantages to U.S. security and prosperity that accrue from the global spread of democracy and of the human rights that democracy sustains. More profoundly, to do so would stifle the American sense of mission, the self-perception of our country as a society whose values have universal resonance, whose greatness lies not in its economic or military prowess but in the freedoms and liberties that inspire people around the world.

The problem of balancing ethical and practical objectives cannot be solved by summarily abandoning the human rights component of U.S. foreign policy. Rather, as several contributors to this volume argue, the solution is less spectacular and more complex, less dramatic and more demanding. It is to fashion a foreign policy of coherence and consistency by encouraging policymakers to match goals with means, to remember the practical challenges of policy implementation during the process of policy formulation.

In pursuit of this goal, *Implementing U.S. Human Rights* makes a significant contribution. The volume brings a unique breadth and depth of perspective to our understanding of how stated U.S. human rights objectives have been translated or mistranslated into practice or ignored. Examining no fewer than fourteen countries, the authors of this impressive volume explore the evolution of U.S. policy over recent decades. They underline the complex interplay of differing goals, competing interests, and shifting circumstances in the process of policy implementation. Not only do they evaluate results but they also seek to disentangle the contributions to those outcomes made by a large

cast of actors—ranging from the White House to Congress, from human rights activists to U.S. ambassadors. The cases covered include both successes (South Africa is probably the greatest cause for celebration) and failures (Rwanda is surely one of the darkest chapters). In most instances, however, the impact of U.S. policies on local respect for human rights is shown to have been mixed. Throughout, as the volume's editor, Debra Liang-Fenton, emphasizes in her introduction and conclusion, the contributors seek to answer one overarching question: When it comes to implementing U.S. human rights policy, what works?

This concern with the practical as well as the analytical dimensions of U.S. foreign policy was central to the United States Institute of Peace's Human Rights Implementation Project, from which this book emerged. Launched in 1999, the project sought to critically examine human rights policies promoted by the U.S. government in order to identify ways in which they might be improved. Like many other initiatives undertaken by the Institute, the project brought together highly respected figures from a variety of fields to exchange ideas and build a body of knowledge informed by multiple perspectives. Policymakers, diplomats, academics, and human rights activists met together in a spirit of constructive and critical assessment. Their aim was not to defend or damn the U.S. record on human rights, but to calmly assess past policies and to carefully tease from the experience of their application lessons for future practice. Given the passions that the subject of human rights regularly and understandably inflames, this goal was far from modest. Fortunately, however, the participants in the project succeeded admirably, and this volume testifies to their impressive ability to steer clear of denunciations and obfuscations while still offering forthright and revealing critiques of U.S. policy.

We at the Institute would like to think that tackling sensitive subjects candidly but not censoriously has become a hallmark of much of our work. Other organizations have ideological or institutional imperatives that lead them to defend particular views and to denounce others. The Institute, in contrast, has been charged by Congress with examining international conflicts from a nonpartisan vantage point and with improving the conduct of U.S. foreign policy. Its mission is to expand, not to narrow, understanding of the ways of preventing, managing, and resolving conflict. In practice, this means spotlighting issues that

are almost inevitably highly charged politically, issues that elicit strong reactions not only from the parties directly involved in conflicts abroad but also, often, from their supporters here in the United States. In such situations, our commitment to an unflinching but evenhanded treatment of sensitive but important subjects, and to clear-sighted and cool-headed analysis, stands us in good stead.

*Implementing U.S. Human Rights Policy* admirably sustains this tradition. It tackles a challenging subject that always sparks strong feelings on all sides, and it does so without shying away from incendiary issues. If Americans both inside and outside government heed the lessons elaborated in this volume, it may help policymakers avoid the dangers inherent in promoting human rights while gaining for the country the benefits of doing so.

Richard H. Solomon, President  
United States Institute of Peace

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The project assigned to each case study a working group of leading experts in their fields who helped inform the content. This distinguished cast included a wide range of policymakers, diplomats, and other government officials, academics, NGO activists, and some members of the business community. While it is not possible to name every participant, they know who they are, and this volume has benefited substantially from their many contributions. I would like to thank Catharin Dalpino, who played an essential role as adviser and sounding board. Holly Burkhalter gave generously of her time and guidance, especially with respect to the Africa studies. I am also grateful to Mark Palmer, Harold Hongju Koh, George Lopez, Yvonne Thayer, Christine

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