

HUMAN RIGHTS AND FOREIGN POLICY: THE RELATIONSHIP OF THEORY AND ACTION

by

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If one views the history of man from a macrocosmic perspective, one can perceive an idea struggling for its fruition. It is not a new idea, but one that in the last few years has suddenly become a major theme in world diplomacy and one of the thorniest issues between East and West. The present administration seems firmly committed to its cause. This idea is human rights.

National security advisor Zbigniew Brzezinski states: "We are trying to stimulate people world-wide to the notion that human rights is an idea whose time has come."¹ Secretary of State Cyrus Vance said of President Carter, "He feels very, very deeply, just as all the rest of us, that this is the fundamental question, a part of our Constitution, a strand in the fabric of our country."²

President Carter has thus made human rights the rightful visible and vocal cornerstone of US foreign policy for the first time. Not surprisingly, the President's stand on human rights has drawn varying degrees of criticism from the Soviet Union, allies, and apparently well-meaning personages at home.

A commentary issued by *Tass*, the Soviet news agency, said:

James Carter has assumed the role of mentor to the USSR, and the other socialist countries, using the most absurd and wild concoctions borrowed from the stock in trade of reactionary bourgeois propaganda. . . . Such a stand can only be seen as another attempt at interference in the internal affairs of the USSR and the other socialist countries.³

Senator Barry Goldwater of Arizona stated:

I can understand President Carter's desire to see universal human rights, but I think he's taking a very impractical approach. We shouldn't try to interfere in the domestic problems of other countries. They can live without the United States. They may not live as well or as high on the hog, but they'll get along.⁴

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Senator John Sparkman of Alabama, chairman of the Senate Foreign Relations Committee, said:

It is usually unwise—and even more usually ineffective—to attempt to reform the domestic practices of either allies or adversaries. That is surely one of the major lessons of the Vietnam War. . . . We cannot . . . disregard . . . the way governments treat their own people, but the primary consideration must remain the security of the United States, its allies and its friends.⁵

These criticisms generally amount to admonitions not to “interfere” in the problems of others who can “live without us” and that we should look out for our own security and that of our friends first, anything more being “unwise” or “ineffective.” If one elevates these critical admonitions from the status of parochial advice to that of principles of human conduct, something very strange occurs: One might speculate how the late Dr. Martin Luther King might have replied if the violations of black human rights were referred to as “domestic Southern problems” of people who can “live without us” and that our citizens, at any rate, should be primarily concerned with their own security and that of their immediate friends. Perhaps Dr. King was looking at human rights violations macrocosmically rather than provincially when he stated that he was aware of the interrelatedness of all communities and that:

Injustice anywhere is a threat to justice everywhere. Whatever affects one directly, affects all indirectly. Never again can we afford to live within the narrow, provincial ‘outside agitator’ idea. Anyone who lives inside the United States can never be considered an outsider anywhere within its bounds.⁶

This reference to Dr. King’s views may, however, provide some support for the criticism of the administration’s human

rights stand. That is, it might be one thing to interfere when one is a citizen of the country in which human rights violations take place and quite another matter to interfere when one does not reside in nor possess the citizenship of the country where the rights violations occur. All US citizens live under a common legal code which manifests the human rights principles of the Declaration of Independence and the Constitution. Other countries, it may be argued, either make the exercise of one’s rights contingent upon adherence to the national constitution or they do not define human rights in the same way that we do. In still other lands, the rights borne by citizens are sometimes defined in terms of rights to food, jobs, shelter, and health care,⁷ and not necessarily in terms of the primordial personal liberties conceived of in the Western democracies.

Moreover, the problem between East and West over human rights appears to hinge on which takes precedence, human rights or obedience to national laws. The Western view is that governments are instituted among men to protect their fundamental rights and that the government rules by the consent of the governed. The reverse seems to be the Soviet view. Leonid Brezhnev, addressing the Soviet Communist Party Central Committee on 24 May 1977, said: “The rights and freedoms of citizens cannot and must not be used against our social system.”⁸ Article 59 of the new Soviet draft Constitution, published on 4 June 1977, imposes this restriction: “Citizens shall be obliged to observe the Constitution of the USSR and Soviet laws, to respect the rules of socialist behavior and to carry with dignity the high calling of citizen of the USSR.”⁹ Thus, it seems that for the Soviet citizen the exercise of his rights appears to depend upon his observing “good socialist practices” and not opposing the Soviet system. If he does, he is labeled a criminal and he forfeits his rights.

From a legal perspective, however, the Nuremberg trials, the founding principles of the United Nations, and the acceptance of International Law have a common denominator: There are universal standards of human behavior, and individuals have

international duties which transcend the national obligations of obedience imposed by the individual state.

On 10 December 1948, the General Assembly of the United Nations proclaimed the *Universal Declaration of Human Rights*, which begins:

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world. . . .¹⁰

The 1975 Helsinki Accord on European security and cooperation has human rights provisions which read, in part:

The participating states will respect human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief, for all without distinction as to race, sex, language or religion. They will promote and encourage the effective exercise of civil, political, economic, social, cultural and other rights and freedoms, all of which derive from the inherent dignity of the human person and are essential for his free and full development.¹¹

This accord was signed on 1 August 1975 by the US, Russia, Canada, and 32 European countries.

In spite of this international attempt to place human rights into a sphere which transcends national law, critics of the administration's stand on human rights continue to refer to human rights violations as "domestic problems" or "domestic practices" in which the US should not interfere or attempt to reform. This, according to Aleksandr Solzhenitsyn, is the view that certain resourceful legal scholars have introduced as "legal realism." It advocates that if certain laws have been established in countries ruled by violence, these laws must still be recognized and respected, even if they allow the violation of internationally sanctioned principles of

human rights.¹² It makes law the criterion for rightness or correctness with respect to our conduct.

But if our actions should always be guided by "legal realism," to accept the world as it in fact is, then one places the law above human judgment. Segregation was "legal" in certain parts of the South; persecution of Jews was "legal" in Nazi Germany. Yet our judgment condemned these violations of human rights. Law is our human attempt to embody in rules the reasoned perceptions and judgments we make concerning how the world should be. These value judgments we make take precedence over legal realities. It is through our reasoning about values that we enact and repeal laws, and it is this reasoning that allows us even to speak of laws as being either good or bad. Hence, our value judgments are, of necessity, primordial.

In order to begin to extricate ourselves from this dilemma of universal human rights versus restrictive national law, one must begin with an investigation of our own reasoning concerning human rights.

HUMAN RIGHTS THEORY

As noted earlier, universal human rights is not really a new idea. Socrates said that he was not an Athenian nor a Greek but a citizen of the world. Christianity admonishes us to be our brother's keeper and to love our neighbor as ourselves. Zen Buddhism teaches

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the unity of the universe, the essential oneness of all. Thomas Paine said that he was a citizen of the world and that his religion was to do good. In 1947, the noted psychoanalyst, social philosopher, and author, Erich Fromm, wrote that for the first time in his history, man can perceive that the idea of the unity of the human race and the conquest of nature for all mankind is no longer a dream but a realistic possibility.¹³

What these insights have in common is their supranational perspective. The history of philosophy is replete with views that humanity should be considered as a whole, universally and not provincially.

Even our modern "pop wisdom" reflects these thoughts and sentiments. In *Man Of La Mancha*, a line assessing madness states that perhaps "The greatest madness of all is seeing the world as it is and not as it ought to be." The song-poem *Desiderata* explains that each individual is a "child of the universe" who has "a right to be here," and even a garish Falstaff beer commercial proclaims that "We're all in this together."

In a more scholarly manner, Solzhenitsyn makes the same point when he claims that on our crowded planet there are no longer any "internal affairs."¹⁴ He points out that the West cannot love freedom for itself alone and quietly agree to a situation in which the majority of mankind, spread over the greater part of the globe, is subject to violence and oppression.¹⁵ In our modern era, it is no longer possible for the US to pursue its "national interest" in spite of human rights violations. There is no longer any such thing as a US national interest which can be viewed as somehow detached from the events affecting the rest of the world. Like it or not, the fate of the US is inextricably linked to the whole of mankind and the fate of our common planet.

If it were finally agreed to view humanity as an organic whole, only part of the human rights question would be addressed. Other theoretical questions remain: What are human rights? Why do we concern ourselves with human rights? To whom should human

rights be accorded? Should human rights be accorded on the basis of social status, citizenship of a country, or merit within a society? Should they be accorded equally or unequally? Why?

HUMAN RIGHTS: A CONCEPT

The history of human or natural rights is long, complex, and varied. For discussion purposes, one theoretical argument for universal human rights has been chosen. It is a secular version propounded by Dr. Richard Wasserstrom, Professor of Law and Philosophy at the University of California at Los Angeles, and it answers the questions posed in the preceding section.

According to Dr. Wasserstrom, human rights are distinctive and valuable moral commodities. The concept of human rights fulfills certain functions that no other moral or legal concept can fulfill. Perhaps the most important thing to be said about human rights is that they are in the domain of protected entitlements. To claim or acquire something as one's right is crucially different from seeking to obtain it as a privilege, a favor, or a permission. To have a right to something is to be entitled to exercise it without securing the consent of another. In short, to have a right to something is to have a very strong claim upon it. It is the strongest kind of claim there is. To live in a society in which rights are acknowledged and respected is to live in a preferable society since that society has been made appreciably more predictable and secure.¹⁶

To talk about human rights is to distinguish those rights which humans have from other nonhuman entities, such as animals or corporations. Human rights have at least four very general characteristics: First, they must be possessed by all human beings, and only human beings. Second, because they are the same rights that all human beings possess, they must be possessed equally by all human beings. Third, because human rights are possessed by all human beings, we can rule out any rights which are dependent upon status or relationship, such as the right of a judge to sentence or the rights

of a parent vis-à-vis his children. And fourth, if there are any human rights, they must have the additional characteristic of being assertible, in a manner of speaking, "against the whole world." This is to say, that because rights are not possessed by virtue of any status or relationship, they are rights which may be claimed equally against any and every other human being.¹⁷

The major question remaining is why should rights be accorded equally to all human beings? Why should we not just be interested in the rights of US citizens? Gregory Vlastos answers that there is at least one respect in which all human beings are alike or equal: We all crave relief from acute physical pain.

To take a perfectly clear case no matter how individuals A and B might differ otherwise, they both would crave relief from acute physical pain. In that case we would place the same value on giving this to either of them regardless of the fact that A might be a talented, brilliantly successful person, B, 'a mere nobody'. . . . In all cases where human beings are capable of enjoying the same goods we feel that the value of their enjoyment is the same. In just this sense we hold that one man's well-being is as valuable as any other's.¹⁸

Similarly, we believe that each individual equally values the exercising of his own freedom and that one man's freedom is as valuable as any other's. Thus, since we do believe in equal value with respect to human well-being and freedom, we should also believe in the *prima facie* equality of man's rights to well-being and freedom.

Therefore, the rights to one's well-being and freedom are suggested as candidates for the status of human rights. If one is not entitled to claim these values as his rights, there is precious little that the individual can accomplish with his life. In other words, these human rights are the minimal things without which it is impossible to develop and live life as a fully human being. A human

right is thus the necessary condition for a fully human life. So valuable are these rights that we are often willing to risk our individual and national survival in war to assure their maintenance. Indeed, if we were merely interested in physical survival, we might adopt the view stated by Bertrand Russell: "Better Red than dead." Our willingness to risk all in war is testimony to our conviction that a quality of life guaranteed by individual human rights is more precious than life itself. The importance of human rights cannot be underestimated.

Having attempted to provide a brief theoretical foundation for the concept of human rights, it is now necessary to relate human rights theory to actions in the real world, a world whose practical realities are often inimical to putting into practice sound theoretical ideals.

ASSESSING HUMAN RIGHTS ACTIONS

Given what has been said concerning human rights theory, it is now necessary to assess the implications of this with respect to the concrete situation existent in the world. If human rights—such as freedom to criticize one's government, freedom to own possessions, freedom to think, to read, to worship, to travel to other lands, to work where one chooses—are those values essential to living a life as a fully human being, then totalitarian governments, in denying or restricting these values, are anti-personhood individually and anti-humanity in the aggregate.

Moreover, there is a seeming inconsistency in our foreign policy. The US has consistently opposed "wars of aggression" in which one nation does physical violence to another. The most recent historical examples of unjustified violence are, of course, the aggressions of Nazi Germany and Japan during World War II and the violence waged against South Korea and South Vietnam. The inconsistency seems to be in our restricted definition of unjustified violence.

"Violence" has more to do with "violation" than with the idea of force.¹⁹

What is fundamental about violence is that human beings are violated, and physical force is only one way that a person may be violated. When one is not free to engage in those activities noted above as characteristic of man, violence is being done to him. When a government restricts the lives of its citizens, it is doing just as much violence as if it were crushing their bodies with tanks. If we fail to recognize that violence can be perpetrated on people without physical force—by violating their freedom, their dignity, their right to be autonomous men rather than slaves—then we fail to recognize violence in its full dimensions. Institutionalized racism and segregation, mentioned earlier, are two forms of violence without necessarily employing physical force.

From this it seems to follow that just as in the case of overt aggressive war, we must take a stand against governments who would do covert violence to their citizens to inhibit their development as human beings by denying essential freedoms required for that development. This is the true meaning of the Soviet phrase that they are engaged in "ideological war." Violence is being done to mankind; we are at war and we might just as well admit it.

Given what has been said concerning the issue of human rights, one must see that the most important distinction between totalitarian and democratic regimes is human rights, the respect and dignity accorded to the human individual. It is this stance that fundamentally defines our "way of life" and our national character. Without our fervently holding this position on human rights, the fundamental distinction between our regimes begins to vanish and "we" become more like "them." This tends to obviate any reasons for our citizenry to prefer and defend the democratic way of life against the totalitarian. This is simply to point out that if there are no fundamental differences in our value commitments in both word and deed, then there is no essential difference at all. Thus, we might as well begin unilateral disarmament, for it would matter little who

governed our country unless there were a difference in values. Under a totalitarian regime, the vast majority of our population would still work, eat, and have the basic necessities of life. It would "merely" mean that they had lost their basic values—their rights.

To be fair, it must be noted that both the advocates of the administration's visible policy on human rights and those who disagree with it recognize the necessity of upholding human rights. The difference lies in the practical means to be chosen to implement and maintain an effective foreign policy which considers human rights.

Former Secretary of State Henry Kissinger is representative of the position that we must recognize our limits and that we promote human rights more effectively by counsel and friendly relations than by vocal and material confrontation.²⁰ The position adopted by President Carter's Administration is more akin to that of Aleksandr Solzhenitsyn who, on the behalf of other Soviet dissidents, tells the West to "Interfere more and more. Interfere as much as you can. We beg you to come and interfere."²¹

In order to understand the current administration's policy on human rights, one must also understand the nature of the opposing arguments, which amount to the claim that this policy is "unwise" or "ineffective." These are:

- Detente will be jeopardized and subsequent negotiations important to the US, such as SALT, MBFR, and a mid-East settlement, will be severely hindered by increased Soviet intransigence. Moreover, the US policy strains relations with allies, notably West Germany, who have worked hard to promote detente.

- Our policy constitutes interference with a vital Soviet issue and represents a return to the cold war, which will result in a more closed Soviet society and increased harm to dissidents in the long run, and will play into the hands of Soviet "hawks" who have never favored detente.

- It may encourage other uprisings, such as those that took place in Hungary in 1956 and Czechoslovakia in 1968, for which the US would have to share responsibility.

- The US is being hypocritical, in view of human rights violations at home, and applies a double standard by attacking human rights violations and reducing aid to countries like Uruguay, Argentina, and Ethiopia while ignoring violations and continuing to provide aid to "more important countries" like South Korea.

These arguments will be addressed in the paragraphs that follow.

A long-term objective of recent US administrations, as well as of our allies, has been to increase trade with the Communist nations in the belief that this would foster a pluralistic society: that is, tend to loosen the solidarity of the Communist bloc and to create the conditions for a freer life for their citizens. However, in light of recent developments, this policy should be reassessed. We in the military are acutely aware that the Soviet Union is spending a vast amount of its resources in developing military capabilities far beyond any reasonable requirement for self-defense. Solzhenitsyn claims that the economy of the USSR is on a war level and that if the Soviet Union has powerful military forces today—in a country which is poor by contemporary standards—we have Western capital, technology, and resources to thank for it.²²

Further, another Soviet dissident, Vladimir Bukovsky, similarly points out that the Soviet economy is hopelessly inefficient and is in constant need of supply and support. When Western countries come to its support, they come to help not the people, but the totalitarian regime. He states: "The fact is symbolic that I was brought out of the Soviet Union in handcuffs of American manufacture, inscribed with the words 'Made in U.S.A.'"²³

As noted earlier, in violating human rights, totalitarian regimes do violence to mankind. They are at war with democracies. The Soviet leaders tell their own

people that detente does not mean any relaxation in the "ideological war," which is intensified under detente and becomes even more important.²⁴ The Soviet Union rarely misses an opportunity to criticize the US when it is perceived that some advantage can be obtained in the eyes of the international community. A visible and forceful US policy based on human rights makes this struggle for man's loyalty a two-way street and presents a clear choice of ideologies for the world in general—and for the developing countries of the Third World, in particular—to emulate or reject. That human rights, based on the ideas of human dignity and freedom, is an important and forceful idea whose time is coming is difficult to deny. We should not discount its effect in providing hope to the oppressed and a moral focal point to the world, differentiating what life in the West is all about. It is difficult to kill an appealing idea.

Thus, it seems not only inconsistent with our historical values but also tactically unwise to provide enormous aid to Communist nations on the basis of an unproven political belief that Communist solidarity would be thereby weakened. In fact, such aid appears to strengthen the totalitarian regime materially, and perhaps more importantly, to strengthen the ideological grip of totalitarianism on the people by allowing the regime to provide visible demonstration of its sufficiency—rather than its bankruptcy—in providing a reasonable standard of living. If we were to withhold all trade short of humanitarian or cultural, the system might well collapse from within. We should not ignore Lenin's dictum that one day the West itself will provide Russia the rope with which to hang the West.

Given the foregoing discussion and aside from the question of trading at all with the Soviet Union, it also becomes apparent that important negotiations such as SALT and MBFR will not *in the long run* be jeopardized by a strong US human rights position. Nations, like individuals, will always act in their own self-interest—and presently Russia and the Communist states

have good reasons to avoid a confrontation with the US. They have amassed debts to Western banks and governments estimated at \$40 billion and are looking for further substantial loans to facilitate industrial expansion. Also, in any new arms race the Soviets would be forced to divert even more of their resources from an already overstrained economy.²⁵ The US position on human rights may well irritate the totalitarian regimes, but it is unlikely to induce them to commit economic suicide by refusing to negotiate the issues cited.

With respect to the argument that views the human rights policy of the US as constituting interference in "domestic affairs" of other nations, enough has been said. Legally, morally, and practically, human rights cannot be regarded from the "outside agitator" viewpoint opposed earlier by Dr. King. It is naive to think that US security can be maintained independently from the rest of the world and that systems which enslave millions are no threat to our own security.

The argument that the US position on human rights will hurt Soviet dissidents rather than help them and will lead to a more closed Soviet society is not shared by the noted dissidents Aleksandr Solzhenitsyn, Andrei Sakharov, and Vladimir Bukovsky. They plead for the West to interfere as much as possible; to them the most important factors are Western firmness and patience—not expecting immediate results.²⁶ Additionally, many analysts agree with Soviet historian Ray Medvedev who argues that even before President Carter took office, the Kremlin, for reasons of its own, decided upon the current crackdown on dissent.²⁷ One must remember that Communism has historically tried to present the facade of "ideological purity."

Allied with this latter criticism is the concern that the US position on human rights would require that we share responsibility for the danger of sparking another popular uprising which would confront the US with the agonizing choice of intervention, with great risk to world

security, or standing on the sidelines while the uprising was crushed by Soviet military power.

However, it is one thing to stand on the sidelines and quite another to become the world focal point—an active participant—in the internationalized struggle for human rights. As noted earlier, just as violence can be done without physical force, so too can a war of ideas be waged without direct physical confrontation. We must divest ourselves of the notion that being *active* in support of our ideals requires direct physical intervention. We would not be hypocritical or inactive in our human rights policy as long as we did not mislead the peoples of oppressed nations into expecting direct physical action. It would be irresponsible either to advocate or to attempt intervention in a popular uprising and risk a nuclear holocaust, thereby negating the conditions for humanity, let alone their rights, to exist. When human rights are truly recognized as "an idea whose time has come," it is unlikely that a military force in the hands of a minority of people will be able to subdue it. Until that time, the dissidents, like the early Christians, will choose to pay the heavy price to keep the idea alive and prospering. Our responsibility should be limited to insuring world survival and to insuring that the dissidents' labor as well as their fate does not go unsupported or unnoticed by that world.

The view that the US is playing "moral policeman" to the world and is acting hypocritically requires clarification. First, in its visible stand on human rights, the US is promoting by deed the international judgments, affirmed by the UN *Universal Declaration of Human Rights* and the Helsinki Accord, as well as our own traditional values. We will be judged as either a good moral policeman or a bad moral policeman according to our visible actions. It is time that policy actions clearly reflected those values we claim to hold. The true test of hypocrisy is whether or not a person or a nation is prepared to act according to the beliefs professed.

In 1974, Dr. Kissinger's policy-planning staff noted that "The historic image of the

United States as the supporter of freedom is being eroded by a counter-image of the United States as an ally of tyrannical regimes."²⁸ In addition, Vietnam, Watergate, and the misconduct of individuals within the CIA, FBI, IRS, and the Congress have undoubtedly led many people to believe that our government has lost its sense of value commitments which distinguish us from totalitarian systems. We are not hypocritical when we stand for human rights abroad as long as we strive to remedy their violation at home as well.

The claim that the US is hypocritical with respect to charges of "selective morality" in providing foreign aid also needs to be addressed. Just as world survival should be given priority as a necessary condition for human rights to exist, so too should national survival. No nation which is confronted with a dire threat to its national existence can be expected to concurrently exhibit exemplary democratic behavior with emphasis on full human rights. The US perceived itself to be in this position when we incarcerated our Japanese-American citizens during WW II. It was similarly inane for certain critics of our Vietnam effort to argue that we were not supporting a democratic government committed to human rights while waging war against the Vietcong and North Vietnamese. The fundamental condition for human rights to exist is a secure society. Thus, there seems to be justification for providing military aid to threatened countries which have violated human rights, e.g., South Korea, while reducing or eliminating aid to others not so threatened. This practice should continue until reasonable security has been established. It requires a case-by-case analysis of each situation and has nothing to do with applying morality selectively or employing a double standard. It merely recognizes that the human rights theory expounded earlier must be effected by actions in a hostile and complex world, devoid of simple solutions.

In summary, it is suggested that the US continue to take an open and forceful

position on human rights violations and to employ the instruments of foreign policy to bring political and economic pressure to bear on nations violating human rights. Making human rights the cornerstone of our foreign policy, consistent with our historical value commitments, represents a unification of philosophical human rights theory and practical actions in their behalf and likely will bring about the best practical consequences for the US and mankind in general. The essential considerations bear recapitulation:

- The concept of human rights is the *sine qua non* for living a life as a fully human being.

- A nation that represses human rights does unjustifiable violence to humanity, which must be opposed. This represents nonphysical warfare and constitutes aggression.

- Both human rights theory and considerations of practical consequences dictate that human rights must be accorded to all men universally. The UN *Universal Declaration of Human Rights* and the Helsinki Accord provide legal grounds for the internationalization of this commitment to universal human rights.

- Detente, in the sense of ongoing negotiations, will not in the long run be jeopardized, since nations act in their self-interest and it is clearly in the interest of the Soviet Union to negotiate SALT, MBFR, etc., in order that desired trade continue. Moreover, trade and economic assistance should be carefully assessed to insure that by so doing we do not allow the Soviet Union to divert more resources toward military capability. Indeed, trade should be conditioned by a true detente, a scaling down of this capability, lest Lenin's prophecy be fulfilled.

- A visible policy based on human rights provides a focal point for other developing nations to witness and clearly delineates the democratic societies from the totalitarian.

The openness of our commitment, rather than halfway measures bargained for behind closed doors, gives testimony to the validity of the concept. It also provides hope and support for those oppressed, that at least someone, somewhere, is willing to stand up for those values desired by most men.

• A human rights policy based on considerations of world and national security is not hypocritical or selective in application of moral standards. A prerequisite for human rights to exist at all is a reasonably secure society. An uprising in oppressed nations abroad is not the responsibility of the US as long as those nations were not led to expect direct physical intervention on their behalf—which would jeopardize the very conditions for human rights to exist at all.

ONE FINAL THOUGHT

This paper has attempted to provide rational analysis and justification for the present administration's policy on human rights by examining the problem, human rights theory, and practical action. There is a remaining dimension which has not been dealt with either explicitly or implicitly.

What if it were possible to program all the analyses and arguments with their respective probabilities into a computer? And what if the resulting computer solution showed that a foreign policy based upon a fundamental concern for universal human rights would, in fact, be "unwise" or "ineffective" in terms of its practical consequences to the US? Logic would point to but one action: Return to the wise, effective, efficient, practical policies pursued by past administrations. One is reminded, however, of Jonathan Swift's "logical" solution to the Irish famine: Eat the babies. The logic cannot be faulted. It has the "virtue" of simultaneously providing food as well as reducing the number of people to be fed.

The reason that this solution was not adopted was, of course, that it was *emotionally* repugnant. Since that time, there have been other, more modern solutions discarded for the same reason. Man's ability

to rationally calculate impels him in one direction, but emotionally he is severely uncomfortable with that decision and overrides it because it does not *feel* right.

Perhaps, since we are not computers, we should not try to emulate them. The fundamental question, then, is: If we could secure *our* national survival and the rights of *our* citizens by abandoning active concern for the rest of mankind, would it be worth it? Likely this larger question is what Mr. Brzezinski had in mind when he said: "If SALT is dependent on the United States having to deny itself the right to affirm these beliefs [human rights], then it is not worth it."²⁹

NOTES

1. "The Push for Human Rights," *Newsweek*, 20 June 1977, p. 46.
2. "Human Rights—Showdown with Russia," *US News and World Report*, 20 June 1977, p. 17.
3. *Ibid.*
4. "Moral Policemen to the World?" *US News and World Report*, 14 March 1977, p. 21.
5. *Ibid.*
6. Martin Luther King, "Letters from a Birmingham Jail," in *Philosophy Now—An Introductory Reader*, ed. Paula R. Struhl and J. Karsten (New York: Random House, 1972), p. 561.
7. "The Push for Human Rights," p. 46.
8. "Human Rights—Roots of Conflict," *US News and World Report*, 20 June 1977, p. 18.
9. *Ibid.*
10. US Department of State, *Human Rights*, Selected Documents No. 5, 1977, p. 3.
11. "Human Rights—Roots of Conflict," p. 18.
12. Aleksandr Solzhenitsyn, *Warning to the West* (New York: Farrar, Straus, and Giroux, 1976), p. 45.
13. Erich Fromm, *Man for Himself* (Greenwich: Fawcett Publications, 1947), p. 14.
14. Solzhenitsyn, p. 48.
15. *Ibid.*, p. 72.
16. Richard Wasserstrom, "Rights, Human Rights and Racial Discrimination," in *Human Rights*, ed. A. I. Milden (Belmont, Cal.: Wadsworth Publishing Co., 1970), pp. 98-99.
17. *Ibid.*, p. 100.
18. *Ibid.*, p. 102.
19. Newton Garver, "What Violence Is," in *Moral Problems*, ed. James Rachels (New York: Harper and Row, 1971), p. 242.
20. Henry A. Kissinger, "The Moral Foundations of Foreign Policy," in *Ethical Arguments for Analysis*, ed. Robert Baum (New York: Holt, Rinehart and Winston, 1976), p. 289.
21. Solzhenitsyn, p. 48.
22. *Ibid.*, p. 114.

23. Vladimir Bukovsky, "How a Dissident Describes 'Human Rights' in Russia," *US News and World Report*, 14 March 1977, p. 22.

24. U. Alexis Johnson, "From a Veteran Diplomat: How to Deal with the Russians," *US News and World Report*, 4 April 1977, p. 25.

25. "Carter Takes on the Russians," *US News and World Report*, 11 April 1977, p. 23.

26. Bukovsky, p. 22.

27. "The Push for Human Rights," p. 46.

28. *Ibid.*, p. 48.

29. "Carter Takes on the Russians," p. 23.

