

Jimmy Carter and the Foreign Policy of Human Rights:

The Development of a Post-Cold War Foreign Policy

I would hope that the nations of the world might say that we had built a lasting peace, based not on weapons of war but on international policies which reflect our own most precious values. These are not just my goals, and they will not be my accomplishments, but the affirmation of our nation's continuing moral strength and our belief in an undiminished, ever-expanding American dream.¹

President Jimmy Carter, Inaugural Address, 20 January 20, 1977

From the first day of his presidency, Jimmy Carter set out to fundamentally alter the direction of American foreign policy. Coming to office in the wake of the disillusionment brought about by the Vietnam War, Watergate, and the Senate Select Committee on Intelligence (Church Committee) revelations on Central Intelligence Agency (CIA) covert activities abroad, Carter promised a new direction to American foreign policy by shaping it around the principles of human rights and nonintervention. Carter faced the challenge of developing and implementing his new policy in opposition to the continuing Cold War axiom of containment of the Soviet Union. His policy of human rights sought to create a post-Cold War foreign policy that changed the fundamental nature of American relations with the Third World while still protecting essential American interests. The tension between the quest for a more humane foreign policy and the old imperatives of security and stability has led most commentators to criticize Carter's foreign policy as simplistic and naive.

A close examination of the Carter administration's development of a foreign policy based on human rights, and the complexities it faced in implementing its policy, demonstrates that this critique is wrong on both counts. The adminis-

1. Jimmy Carter, "Inaugural Address," 20 January 1977, *Public Papers of the Presidents: Carter, 1977*, 1-4.

tration's commitment to human rights was not merely rhetorical or naive. Carter's policy built upon the changes various members of Congress and others were advocating by the mid-1970s. The president and other top officials in his administration were well aware of the difficulties, contradictions, and potential inconsistencies and problems inherent in a foreign policy shaped around American ideals and the principles of human rights. Despite these challenges, the administration was committed to a new direction in foreign policy and in 1977 developed a comprehensive policy that met Carter's desire to make human rights a central tenet of American foreign policy while still protecting vital interests. While Carter's efforts may have been undercut by the continued attachments to Cold War orthodoxy by others, and the crises in Iran and Nicaragua, he did not abandon his policy or goals even as he returned to more traditional Cold War policies in terms of relations with the Soviet Union. Moreover, in making human rights a key element of all discussions and considerations of American foreign policy, Carter succeeded in shifting the discourse on American foreign policy away from the dominant concerns of the Cold War and containment.

There are some who praise Carter's overall record in foreign policy, notably Douglas Brinkley. In a spirited defense of Carter's record, Brinkley finds an extensive number of significant successes, namely "the Panama Canal treaties, the Camp David Accords, normalizing U.S. relations with China, [and] promoting majority-rule in Africa." Most importantly, he argues that "Carter's human rights policy gave the United States moral credibility around the world—no small feat after Vietnam—while putting Moscow on the domestic defensive." It was these accomplishments, Brinkley concludes, that have allowed Carter to become a highly respected international statesman and the most successful ex-president.²

Robert Strong's *Working in the World* is another positive account of the Carter presidency intended to "challenge some of the initial accounts of Carter's conduct of American foreign policy that found him to be weak, indecisive, inconsistent, and the victim of conflict among his advisors." Based on exit interviews and newly declassified materials from the handwriting files at the Carter Library, Strong argues that Carter pursued a consistent foreign policy that dealt with the issues at hand in a realistic manner. While acknowledging that Carter shifted his policy toward the Soviet Union in mid-term from détente to confrontation, he refutes the assertion that there was an abandonment of the human rights policy and a change of course in Carter's overall policy. Instead, he finds Carter's weakness in his failure to educate the public about his policy and objectives. Similarly, the appearance of inconsistency came not from the conception

2. Douglas Brinkley, "The Rising Stock of Jimmy Carter: The 'Hands on' Legacy of Our Thirty-Ninth President," *Diplomatic History* 20 (Fall 1996): 505–29.

of the policy, but from Carter's overly ambitious agenda and unwillingness to prioritize among his initiatives. Despite these problems, Strong concludes that Carter was an "active, intelligent, and sincere individual in command of a complicate foreign policy agenda that involved the conscious acceptance of substantial political risk."³

The overwhelming consensus on Carter's foreign policy, however, remains negative. The most complete examination of Carter's record is Gaddis Smith's *Morality, Reason and Power*. Smith argues that Carter did attempt to think in new ways about foreign policy, particularly concerning the threat of nuclear weapons, and pursued a foreign policy that was based on long-term benefits to the United States and the world rather than short-term calculations of gaining an advantage over the Soviet Union. He found that the president's foreign policy, however, suffered from a public perception of weakness and a fundamental inconsistency that was exacerbated by Soviet actions around the world. The challenges from Moscow, in particular the Soviet invasion of Afghanistan in 1979, led Carter, Smith contends, to radically shift his focus in foreign policy away from human rights and a multilateral approach to the world back to a return to orthodox Cold War positions. In the end, Smith concludes that the critics' skepticism about Carter's ability and ideas, divisions within his administration, the actions of the Soviet Union, and "the impossibility of seeing clearly what needed to be done—all combined to make Carter's vision appear naïve."⁴

Most other historians, albeit with different emphasis and for various reasons, have echoed Smith's findings. In a representative summary, Michael Hunt finds Carter was "unprepared" to conduct the nation's foreign policy, that his "thinking on the issues was shallow and unsystematic," and that his efforts to blend the conflicting viewpoints of Secretary of State Cyrus Vance and National Security Advisor Zbigniew Brzezinski "further muddled Carter's own outlook, left policy adrift, and stimulated a cry for leadership and a return to the old foreign-policy verities."⁵ Most damning is Burton Kaufman. In his overall examination of the Carter presidency, Kaufman argues that the contemporary critics of Carter were correct, and that "his four years in office projected an image to the

3. Robert A. Strong, *Working in the World: Jimmy Carter and the Making of American Foreign Policy* (Baton Rouge, LA, 2000), 274–75; for other positive appraisals of Carter's diplomacy see Erwin Hargrove, *Jimmy Carter as President: Leadership and the Politics of the Public Good* (Baton Rouge, LA, 1988); and John Drumbell, *The Carter Presidency: A Re-evaluation* (Manchester: 1995). For more on the domestic political failure of Carter's foreign policy see David Skidmore, "Carter and the Failure of Foreign Policy Reform," *Political Science Quarterly*, 108 (4): 699–729.

4. Gaddis Smith, *Morality, Reason, and Power: American Diplomacy in the Carter Years* (New York, 1986), 247; see also David Skidmore, *Reversing Course: Carter's Foreign Policy, Domestic Politics, and the Failure of Reform* (Nashville, TN, 1996).

5. Michael Hunt, *Ideology and U.S. Foreign Policy* (New Haven, CT, 1987), 185–86.

American people of a hapless administration in disarray and of a presidency that was increasingly divided, lacking in leadership, ineffective in dealing with Congress, incapable of defending America's honor abroad, and uncertain about its purpose, priorities, and sense of direction." He finds that Carter "tried to do too much too quickly" in foreign affairs, and was "extremely naive" in the way he dealt with the Soviet Union and tried to implement his human rights policy.⁶

Various scholars at the 1993 Hofstra University Conference on the Carter presidency agreed with these evaluations. For example, Jerel Rosati argues that Carter "attempted to implement the first post-Cold War foreign policy" based on "a strategy of adjustment and preventive diplomacy, an image of complex interdependence, and the promotion of human rights and global community." Yet, like Smith, he believes that Carter shifted his course of action in the middle of his term in office in response to Soviet actions and domestic criticism, and that all of this was made worse because "many of Carter's foreign policy beliefs were quite naive."⁷ Vernon Vavrina, while crediting Carter with creating "an explosion of interest in human rights" and giving "strength and audience to the view that states are under a legal obligation to respect human rights," still finds that Carter's policies were inconsistent and reflected Carter's naivete.⁸

Even Tony Smith, who contends that the American commitment to promoting democracy was "the central ambition of American foreign policy during the twentieth century," and argues that Carter's "abiding concern for human rights abroad" was his "finest legacy to the post-cold war world," finds Carter to be naive and his policy ineffective. The problem, Smith argues, stemmed from the fact that "the campaign for human rights did not originally intend to promote the entire panoply of democracy in world affairs." What he calls "Carter's naive failure to understand" the realities of world politics, therefore, came from his inability to move beyond moralism to implement his policy selectively, and recognize the "limits to its appeal."⁹ Finally, in a recent, comprehensive overview of Carter's foreign policy, William Stueck argues that despite Carter's efforts to "move the country in directions different from other presidents in the post-World War II era," there was more continuity, and failure,

6. Burton I. Kaufman, *The Presidency of James Earl Carter, Jr.* (Lawrence, KS, 1993), 3, 37, 40; see also Donald S. Spencer, *The Carter Implosion* (New York, 1988).

7. Jerel Rosati, "The Rise and Fall of America's First Post-Cold War Foreign Policy," in *Jimmy Carter: Foreign Policy and Post-Presidential Years*, eds. Herbert D. Rosenbaum and Alexej Ugrinsky (Westport, CT, 1994), 44, 46.

8. Vernon J. Vavrina, "The Carter Human Rights Policy: Political Idealism and Realpolitik," in Rosenbaum and Ugrinsky, eds., *Jimmy Carter*, 110-11; for the most notable contemporary critical assessment see Jeanne Kirkpatrick, "Dictatorships and Double Standards," *Commentary*, November 1979, 34-45, and "U.S. Security and Latin America," *Commentary*, January 1981, 29-40. See also Joshua Muravchik, *The Uncertain Crusade: Jimmy Carter and the Dilemmas of Human Rights Policy* (Latham, 1986).

9. Tony Smith, *America's Mission: The United States and the Worldwide Struggle for Democracy in the 20th Century* (Princeton, NJ, 1994), 3, 239, 241, 264-65.

than significant new directions and accomplishments during his four years in office.¹⁰

None of these studies, with the exception of Kaufman, is based upon an extensive use of the documents now available at the Carter Presidential Library. Instead, they rely primarily on public documents and interviews. While the archival record is by no means completely open, there is still a great deal of material now available. This provides the basis for a new assessment of Jimmy Carter's foreign policy. Any reexamination of Carter's diplomacy needs to begin with his human rights policy, and the records at the Carter Library provide a different picture concerning the questions of inconsistency and naivete in Carter's human rights policy. A close examination of the records from the first year of the administration concerning the development and implementation of the president's human rights policy reveals that administration officials were well aware of the difficulties, contradictions, and potential inconsistencies and problems with their policy. Moreover, they show Carter and his administration's complete commitment to his human rights policy and how deeply embedded it was in all aspects of the president's foreign policy. While the main purpose of this article is to set out the development of Carter's human rights policy, it will also provide a brief analysis of Carter's response to the crisis in Nicaragua to demonstrate that Carter, in the face of multiple pressures and crises at the end of his term in office, did not abandon his policy or goals even as he made changes in some areas of policy, most notably regarding relations with the Soviet Union.

Carter's foreign policy of human rights marked a break with Cold War diplomacy. In the thirty years following World War II, the effort to contain communism dominated American policy and overrode all other concerns. Policymakers perceived a global struggle between the United States and the inherently expansive and monolithic threat of Soviet communism. By the late 1960s and early 1970s, however, the Vietnam War prompted many to challenge the basic premises of the foreign policy consensus around containment and the bipolar worldview on which it rested. While Richard Nixon's policy of détente was one response to this crisis, it did not question the fundamental assumptions of the containment policy, and many critics saw this as just a continuation of the Cold War policy under a new guise. Meanwhile, an alternative basis for foreign policy based on American values, human rights, and respect for self-determination was emerging in Congress.¹¹

10. William Stueck, "Placing Jimmy Carter's Foreign Policy" in *The Carter Presidency: Policy Choices in the Post-New Deal Era*, eds. Gary M. Fink and Hugh Davis Graham (Lawrence, KS, 1998), 247.

11. At the same time, the neo-conservative critique of American foreign policy that emerged also made human rights a central issue and found a voice in the Carter administration through National Security Advisor Zbigniew Brzezinski. However, it was focused mainly on criticizing the Soviet Union and its allies, and furthering Cold War objectives. See John Ehrman, *The Rise of Neoconservatism: Intellectuals and Foreign Affairs, 1945-1994* (New Haven, CT, 1995).

By the mid-1970s, various members of Congress were actively promoting change in American foreign policy. In 1973, Representative Donald Fraser began promoting human rights through hearings of his House Foreign Affairs Subcommittee on International Organizations and Movements. The Senate established the Church Committee in 1975 to investigate numerous allegations of CIA covert operations against foreign governments. Senator Frank Church, the Committee chair, saw the Vietnam War as a symptom of larger problems that beset American foreign policy stemming from the lack of certain fundamental moral and political values as guides for American diplomacy. The investigations documented American covert involvement in the overthrow of governments in Iran, Guatemala, and most recently Chile, attempts to oust from power Sukarno in Indonesia and Castro in Cuba from power, and numerous assassination plots by various administrations against foreign leaders. For Church, the solution to the misguided American policy that led to these actions and the Vietnam War was clear: "American foreign policy must be made to conform once more to our historic ideals, the . . . fundamental belief in freedom and popular government."¹²

Congress also passed the Harkin Amendment in 1975, named after Congressman Tom Harkin, and the International Security Assistance and Arms Export Control Act in 1976. The Harkin Amendment banned the continuation of economic assistance to nations found to consistently violate internationally recognized standards of human rights. It called upon the Executive branch to submit written reports to Congress on human rights, defined how American assistance would be used in various nations to aid the people, and stipulated that if either house of Congress found fault with the president's position it could cut off aid to that country through a concurrent resolution. The International Security Assistance and Arms Export Control Act stated that the United States should withhold assistance from any nation whose government consistently violated human rights to avoid the identification of the United States with such governments. The secretary of state was required "to provide 'full and complete' reports on the human rights practices of each country receiving security assistance."¹³

In December 1975, the Senate, reflecting the new perspectives in Congress, voted to block continued military assistance to Angola. The Ford administration claimed the money was necessary to resist Soviet expansion in Africa and to maintain American credibility abroad. These arguments, the same ones that had been used to justify the Vietnam War, failed now to persuade, and the House joined the Senate in January 1976 in rejecting the Ford administration's request.¹⁴

12. David F. Schmitz, "Senator Frank Church, the Ford Administration, and the Challenges of Post-Vietnam Foreign Policy," *Peace and Change* 21 (October 1996): 457.

13. "Guidelines on U.S. Foreign Policy for Human Rights," 2 February 1977, National Security Advisor: Subject Files, Box 10-32, Jimmy Carter Presidential Library, Atlanta, GA (hereafter JCL).

14. Schmitz, "Senator Frank Church," 454-455.

In combination with the experience in Vietnam, the disclosures of illicit covert actions and American support for brutal dictatorships legitimized alternative views about America's role in the world and made possible Jimmy Carter's emphasis on human rights and efforts to redirect American foreign policy away from the logic and policy of containment. A central theme of Carter's 1976 campaign was a new direction in relations with the rest of the world. He believed that the real strength of the United States rested in its ideals, promised to return to the values of the Founding Fathers, and made morality one of the central organizing tenets of his campaign. In his formal announcement that he was running for president, Carter asserted that "our government can and must represent the best and the highest values of those who voluntarily submit to its authority." He envisioned a world in which America would "set a standard within the community of nations of courage, compassion, integrity, and dedication to basic human rights and freedoms."¹⁵

The central flaw in past American foreign policy, according to Carter, was that it too narrowly focused on the Soviet Union, and did not encompass all of the nation's interests and values. He saw the United States as "strongest and most effective when morality and a commitment to freedom and democracy have been most clearly emphasized in our foreign policy."¹⁶ In his first major speech on foreign policy in 1976, Carter argued that the recent actions of the United States weakened the moral standing of the nation. "Every successful foreign policy we have had . . .," Carter declared, ". . . was successful because it reflected the best that was in us. And in every foreign policy that has failed—whether it was Vietnam, Cambodia, Chile, Angola, or the excesses of the CIA—our government forged ahead without consulting the American people, and did things that were contrary to our basic character."¹⁷

In accepting the Democratic nomination for president, Carter noted that it was now time "for America to move and to speak not with boasting and beligerence but with a quiet strength, to depend in world affairs not merely on the size of an arsenal but on the nobility of ideas." Carter promised new leadership based on America's historic values, cooperation with Congress, and more openness with the American people. "Ours was the first nation," Carter continued, "to dedicate itself clearly to basic moral and philosophical principles: that all people are created equal and endowed with inalienable rights to life, liberty, and the pursuit of happiness," and this "created a basis for a unique role of America—that of a pioneer in shaping more decent and just relations among people and among societies. Today, two hundred years later, we must address ourselves to that role."¹⁸

Demonstrating that his determination to change the fundamental basis of American foreign policy was not merely campaign rhetoric, Carter announced

15. Jimmy Carter, "Formal Announcement," in *The Presidential Campaign 1976* (Washington, DC, 1978), 1:4.

16. Jimmy Carter, *Keeping Faith: Memoirs of a President* (New York, 1982), 142.

17. Jimmy Carter, "Our Foreign Relations," *Presidential Campaign*, 1:111.

18. Jimmy Carter, "Our Nation's Past and Future," *Presidential Campaigns*, 1:349, 351.

in his inaugural address that the nation's "commitment to human rights must be absolute." He called upon the American people to "take on those moral duties which, when assumed, seem inevitably to be in our own best interest," and to let the "recent mistakes bring a resurgent commitment to the basic principles of our Nation." The best means to defend freedom and advance the national interest, Carter asserted, was to "demonstrate here that our democratic system is worthy of emulation. . . . We will not behave in foreign places so as to violate our rules and standards here at home." The United States was "a proudly idealistic nation" whose "moral sense dictates a clearcut preference for those societies which share with us an abiding respect for individual human rights."¹⁹ That same day, the United States Information Agency broadcast a speech to the rest of the world that Carter had videotaped. The president took this unusual step in order to reaffirm his commitment to human rights, self-determination, and nonintervention. He noted that he wished to assure other nations that the United States had "acquired a more mature perspective on the problems of the world," that "recognizes that we alone do not have all the answers to the world's problems." Still, Washington would take the lead in promoting human rights and peaceful resolutions to problems.²⁰

The president provided his most complete statement of his new policy in a 22 May 1977 commencement address at the University of Notre Dame. Carter declared that the United States should have a foreign policy "that is democratic, that is based on fundamental values, and that uses power and influence . . . for humane purposes. We can also have a foreign policy that the American people both support and, for a change, know about and understand." Carter was convinced that continued support for repressive dictatorships was not only against American ideals but harmed the nation's self-interest. The United States needed to overcome its "inordinate fear of communism which once led us to embrace any dictator who joined us in that fear," and place its faith in its democratic system and principles. The basic problem with the containment policy, the president announced, was that "for too many years we've been willing to adopt the flawed and erroneous principles and tactics of our adversary, sometimes abandoning our own values for theirs. We've fought fire with fire, never thinking that fire is better quenched with water. This approach," he noted, "failed, with Vietnam the best example of its intellectual and moral poverty." The United States, he believed, had to return to its belief in self-determination and democracy. Carter called for a policy now based upon a commitment to "human rights as a fundamental tenet of our foreign policy." The old policy, according to Carter, was based on an inaccurate reading of history and a flawed understanding of the development of democracies. "The great democracies are not free because we are strong and prosperous." Rather, Carter argued, "we are strong

19. Jimmy Carter, "Inaugural Address," 20 January 1977, *Public Papers: Carter, 1977*, 1-4.

20. Carter, "Remarks to People of Other Nations on Assuming Office," *Public Papers: Carter, 1977*, 4-5.

and influential and prosperous because we are free.” Following a foreign policy based on human rights did not dictate a policy conducted by “rigid moral maxims.” But it did demand a belief in the power of ideas and a toleration of change and diversity internationally. American policy was to be based on “a larger view of global change” rather than the bipolar Cold War prism. It also needed to be “rooted in our moral values, which never change.”²¹

National Security Advisor Zbigniew Brzezinski saw this as a “landmark speech because while it recommitted the United States to our allies, it dedicated this country to a policy of global involvement. It proclaimed human rights as a basic tenet of U.S. foreign policy and identified this country with the aspirations of the politically awakening world,” all concerns that had been marginalized by Cold War objectives. No longer would U.S.-Soviet relations dictate policy. Brzezinski explained that the move away from a bipolar worldview did not mean the administration was unaware of the continuing conflict with the Soviet Union. The call to overcome the nation’s “inordinate fear of communism” was not, he wrote, “a dismissal of the reality of Soviet power but an optimistic recognition of the greater appeal of liberty and of the superiority of the democratic system.”²² Vice President Walter Mondale stated that the administration was “for human rights not because we are against Communism, but because we believe in human rights.” In the past, the United States “had gotten these two objectives—anti-communism and human rights—confused,” leading to intervention in the Third World.²³

While Carter believed that “words are action,” he also acknowledged that “we live in a world that is imperfect and will always be imperfect,” and that he “fully understood the limits of moral suasion.”²⁴ Ideas need to be supported by a coherent policy designed to implement them. The administration, therefore, immediately began developing the necessary guidelines and framework to turn Carter’s views into a workable policy. Secretary of State Cyrus Vance sent a memorandum to all assistant secretaries noting that the president “has stressed this Administration’s strong commitment to the promotion of human rights,” and that to carry out this policy the department needed “an overall human rights strategy and internal mechanisms for helping assure balanced decisions in this area.” To this end, he asked Deputy Secretary of State Warren Christopher to establish a committee, the Interagency Group on Human Rights and Foreign Assistance, to coordinate policy, and requested the State Department Policy Planning Staff “to formulate a broad human rights policy for my review.”²⁵

21. Carter, “University of Notre Dame: Address at Commencement Exercises at University,” 22 May 1977, *Public Papers: Carter, 1977*, 954–62.

22. Zbigniew Brzezinski, *Power and Principle: Memoirs of the National Security Advisor, 1977–1981* (New York, 1983), 56, 460.

23. Memorandum of Conversation, 25 May 1977, Chile Declassification Project, Carter Library, Box 1, National Archives.

24. *Ibid.*

25. Cyrus Vance: Memorandum for All Assistant Secretaries, “Human Rights,” 2 February 1977, National Security Advisor: Subject Files, Box 10–32, JCL.

Vance's memo was accompanied by a preliminary outline for a human rights strategy and guidelines for developing a policy. The State Department recognized that the numerous differences among nations made it difficult to develop only one set of human rights positions and responses. Still, the department believed that all members should "at least ask the same questions and proceed as consistently as possible on the basis of comparable data and standards." It, therefore, set out general principles to be followed and a series of questions to be used in determining if there were violations of internationally recognized human rights as defined by the United Nations Universal Declaration of Human Rights of 1948. It was essential that the policy be developed with the long-range objective of a "gradual raising of world standards" that "recognized the complexities of issues involved" and the "impossibility of uniform, automatic responses to specific violations and consequent need for case-by-case responses." In formulating policy, the United States had to consider the nature and extent of the violations in a particular country, the "level of political development" in that nation, and the "direction of human rights trend[s]" there. Specifically, it was essential to ask if the abuses were part of a greater pattern, what role the government played in perpetrating these actions, and whether there were any "special circumstances" that needed to be taken into consideration in "formulating policies for achieving progress on human rights." These considerations included other U.S. interests in the area, American influence in the region, the expected reaction of the government in question, possible responses by other nations, and the legal and cultural factors of the nation in question. A range of potential responses by the United States to human rights abuses were set out, starting with quiet diplomacy and symbolic acts or statements of disapproval to punitive actions such as withholding aid and other means of assistance. These would be determined by the specific violations in each case. That is, whether the action to be taken was designed to help an individual victim, "raise general human rights standards in a country," disassociate the United States from a particular regime, or some mixture of these.²⁶

The potential risks of such a policy were fully noted and broken down into three categories. First, there was the risk of being accused of impinging upon the sovereignty of other nations. This could have possible negative consequences for other American interests, and allow leaders to rally nationalist sentiment to oppose U.S. actions or provide an excuse for more severe repression. The second risk was the danger of setting back general human rights efforts if expectations were raised too high without concrete results, leading to a "loss of faith in human rights efforts." Moreover, there was the danger of a backlash if there was a major fiasco "such as replacement of authoritarian regime by one more repressive following US criticism." Third, a policy based on human rights

26. "Draft Outline for A Human Rights Strategy for the United States," and "Guidelines for US Foreign Policy for Human Rights," 2 February 1977, National Security Advisor: Subject File, Box 10-32, JCL.

opened the United States up to being criticized for inconsistency in the application of the policy, and as well as to charges of a “lack of balance” or “double standard.” Yet, the risks of inaction were seen as greater. These dangers included the continued erosion of the political image of the United States as a supporter of freedom; injury to American interests and influence abroad, particularly with future democratic leadership in nations now ruled by dictators; and a loss of public support for foreign policy.²⁷

Finally, it was recommended that the United States start implementing the policy by selecting “a limited number of ‘worst’ cases—perhaps one or two in a region—on which to focus in the hope of gathering the largest possible number of allies, including milder authoritarian regimes in the ‘Third World’ in a common attempt to raise international standards gradually from the current ‘bottom’ of official murder and torture.” This should begin with quiet diplomacy to point out areas that needed improvement and minimum steps necessary to avoid sanctions and move to public criticism to add pressure and “to disassociate [the] US clearly from a repressive regime.”²⁸

Vance had provided interim measures and a temporary framework to address the issue of human rights. The next step would be the development of a systematic and comprehensive “strategy and detailed plans to implement a more vigorous national policy to advance human rights around the world, including special implementing strategies for each geographic region to take common regional factors into account.” Simultaneously, there needed to be speeches made to clarify the United States position and to “establish a general US posture of concern for human rights, but which present some of the complexities involved, which avoid raising unrealistic expectations and which allay fears that we are embarked on a crusade to drastically alter or topple 100-odd governments around the world.”²⁹

While the Presidential Review Memorandum (PRM) was being drafted, Christopher and his staff began preparing speeches for the deputy secretary and the secretary of state to deliver on human rights. Speaking to the Senate Foreign Relations Committee on 7 March 1977, Christopher explained that human rights would no longer be a separate issue from the rest of foreign policy, considered only after other objectives had been met. Rather, it would be “woven into the fabric of our foreign policy. If we are to do justice to our goals, we must always act with a concern to achieve practical results and with an awareness of the other demands of our diplomacy.” The challenge was to reconcile the goal of a foreign policy based upon human rights with the more pragmatic aspects of international relations. This meant that the administration had to do more than just focus on gross violations of the rights of individuals—torture, murder, and imprisonment of political dissenters—but extend its concern to basic human

27. *Ibid.*

28. *Ibid.*

29. *Ibid.*

needs and civil and political liberties. The policy, therefore, would have to be flexible and based on a “country by country basis, in each case balancing a political concern for human rights against economic or security goals.”³⁰

Secretary of State Vance spoke at the University of Georgia Law School on 30 April 1977. His speech was designed to meet the objective of setting out the general parameters of the human rights policy while demonstrating the complexities of the issue and lowering expectations for its goals and achievements. As Vance noted at the outset, “our human rights policy must be understood in order to be effective.” There were, Vance declared, three main categories of human rights that concerned the United States: “the right to be free from governmental violation of the integrity of the person,” such as torture or political imprisonment; the right to fulfill one’s vital needs, such as for “food, shelter, health care, and education”; and “civil and political liberties,” including freedom of thought, religion, speech, press, and assembly. Vance stated that the administration’s policy was “to promote all these rights,” which were recognized by all nations through the United Nations Universal Declaration of Human Rights.³¹

Vance cautioned, however, that in pursuing a policy based on human rights it was necessary to remember “the limits of our power and of our wisdom. A sure formula for defeat of our goals would be a rigid, hubristic attempt to impose our values on others.” It would be necessary to evaluate the “nature of the case that confronts us,” to discern the “prospects for effective action,” and to balance these concerns against other interests. Moreover, the United States would need to work within the U.N. system, and in cooperation with regional organizations and international financial institutions. Still, it was justifiable to expect positive results. Most immediately, Vance believed the United States could help bring “a rapid end to such gross violations” as torture or prolonged incarceration without charges. Other “results may be slower in coming but are no less worth pursuing. And we intend to let other countries know where we stand.”³²

The administration, Vance noted, realized that the process would be “a long journey” and that there were no illusions “that a call to the banner of human rights will bring sudden transformations in authoritarian societies.” Still, “our faith in the dignity of the individual encourages us to believe that people in every society, according to their own traditions, will in time give their own expression to this fundamental aspiration.” This new direction in American foreign policy was necessary, Vance concluded, because it was right, because (as the recent past indicated) the United States always risked, as the recent past indicated, paying a serious price when it sided with repression, and because

30. Warren Christopher, “Human Rights: An Important Concern of U.S. Foreign Policy,” 7 March 1977, *Department of State Bulletin* 76, 289–291.

31. Cyrus Vance, “Human Rights and Foreign Policy,” 30 April 1977, *Department of State Bulletin* 76:505–508.

32. *Ibid.*

American interests and security were “enhanced in a world that shares common freedoms.” Other parts of the world had been inspired by the American Revolution and its “message of individual human freedom. That message has been our great national asset in times past. So it should be again.”³³

The Interagency Group on Human Rights and Foreign Assistance (Christopher Group) held its first meeting on 6 May 6 with representatives from various bureaus of the State Department, the Departments of Agriculture, Commerce, Defense, and Labor, the National Security Council, and the Export-Import Bank. In all, over forty people from various offices were in attendance. Without a formal policy on human rights yet adopted to guide the deliberations, the Christopher Group’s main function was to carry out the appropriate reviews of specific aid proposals for nations as called for in Congressional legislation, but not to attempt to formulate a general policy or long-term policies to promote human rights in specific nations. For various reasons, security assistance, food aid, development assistance, and actions by the International Monetary Fund and the International Fund for Agricultural Development were placed outside the review of the Christopher Group, but not from overall human rights policy. This left the group to oversee the extension of loans and aid through Multilateral Development Banks, and the questions of overall policy and authority open.³⁴

By early July, a final draft of the “Presidential Review Memorandum/NSC-28: Human Rights” was completed. Eighty-five pages long, it was distributed throughout the administration on July 8 by Warren Christopher. Because PRM 28 was the most thorough analysis of the question, and the basis of Carter’s Presidential Directive on human rights in February 1978, it requires a lengthy examination. It stated that the primary objective of United States “human rights policy is to encourage the respect that governments accord to human rights.” The reasons for adopting a human rights policy were numerous. It was “based in national interest as well as our moral tradition and legal obligation.” Most notably, it would fulfill the nation’s moral obligations stemming from its history, heritage, and values; promote cooperation with Congress and strengthen domestic support “for our foreign policy by permitting the moral and ethical values of our people to be reflected in that policy”; carry out the laws of Congress “authorizing foreign assistance that our foreign policy promote increased observance of internationally recognized human rights by all countries”; strengthen the rule of law and the upholding of international agreements such as the Helsinki Final Act; protect American interests through the promotion of American values of individual freedom and human dignity in contrast to totalitarianism; mark an effective means to combat communism and promote dem-

33. Ibid.

34. Memorandum, Cyrus Vance and William Christopher to the President, 27 March 1978, White House Central Files (hereafter WHCF): Human Rights (hereafter HR), Box HU-1, JCL; Caleb Rossiter and Anne-Marie Smith, “Human Rights: The Carter Record, the Reagan Reaction,” *International Policy Report* (September 1984); Smith, *Morality*, 51.

ocratic forces in the Soviet Union and Eastern Europe and the development of more open societies; and “substitute[s], in our dealing with non-communist countries, a standard based on governmental behavior toward people for an increasingly outmoded Marxist-non-Marxist standard.” All of this would “demonstrate that countries which violate basic human rights do so at a cost and, conversely, that countries with positive records or improving performance benefit tangibly and intangible [*sic*] from their efforts.” Human rights objectives, therefore, “cannot be viewed in the abstract, and it should be obvious that pursuing them can be useful in achieving other broad or particular goals, such as greater credibility in the Third World.”³⁵

Consistent with all earlier documents and statements by the administration, the Presidential Review Memorandum on Human Rights derived its definitions from the United Nations Universal Declaration of Human Rights and set out the three main categories of human rights as: “the right to be free from governmental violations of the integrity of the person”; the “economic and social rights” of the individual to “food, shelter, health care, and education”; and “the right to enjoy civil and political liberties,” notably freedom of thought, religion, assembly, press, and speech. The first group of violations, which included torture and cruel and inhuman treatment and punishment, arbitrary arrests, and denial of fair trial, was included in the definition without debate. The universal applicability of the second and third groups was challenged by some in the debate over policy, but were expressly included by President Carter and at the center of his new policy. As the PRM noted, “a policy which subordinated these rights would not only be inconsistent with our humanitarian ideals and efforts, but would also be unacceptable in the Third World where the tendency is to view basic economic and social rights as the most important human rights of all.” Any policy that ignored these “would be untrue to our heritage and basic values.”³⁶

The third group—civil and political rights—opened the policy up to criticism that it would be an effort to impose Western values and ideas on the non-Western world “where they have no roots and relevance,” and a continuation of previous paternalistic policies toward the Third World. This was rejected because “these rights have been formally espoused by virtually all governments and are of worldwide significance as a matter of practice.” Moreover, there was no “inconsistency between political and civil rights on the one hand and economic development on the other.” There was a need, however, “for caution to avoid giving our policy a parochial cast that appears to export American-style democracy.” The PRM noted that the recent experiences “in Vietnam and elsewhere have taught us the limits of our power to influence the internal workings of other nations.” The goal was the “enhancement of basic human rights in

35. Presidential Review Memorandum/NSC-28: Human Rights, 7 July 1977 (hereafter PRM: Human Rights), 1, 8–11, Robert J. Lipshutz Files, Box 19, JCL.

36. *Ibid.*, 1–3.

diverse societies; we do not seek to change governments” or to remake other countries in the image of the United States.³⁷

A key debate was whether to give each group equal weight and consideration or to accord priority to the first group over the other two. There were good reasons to give all three equal status. Most notably, “if a priority is established it would represent a judgment that violations of the second and third groups are not as serious as those of the first group.” This would be a difficult position to justify in many parts of the world, would be exploited by some regimes to their advantage, and would diminish the incentives for foreign governments to cooperate with the United States and “face up to basic economic, social and political issues represented by the second and third groups.”³⁸

Despite the validity of these concerns, the administration decided to give priority to the first group because it included the “most egregious and horrible abuses of authority” deserving immediate attention and would “help direct and concentrate our efforts.” Since violations of human rights in the first group were subject to “immediate curtailment—whereas violations of the second and third groups generally require more time to remedy—the opportunity to achieve tangible results in the short run may be greater with respect to the first group.” Moreover, this would help to avoid some of the potential criticisms already noted, and make it easier to gain acceptance of the policy. Finally, this made sense because “in countries where the first group of rights is denied or threatened, the protection of those rights has obvious priority, since human life and fundamental human dignity is threatened.” In nations where the first group of rights was generally observed, “but political and civil rights are abridged or non-existent, our policy should emphasize the promotion of those rights.”³⁹

Turning to the implementation of human rights policy, the PRM again noted the limits of the American ability to change human rights practices in other countries, even with substantial efforts on Washington’s part. “Thus, our expectations must be realistic, and we must concentrate on encouraging the maximum possible *evolutionary* improvement.” Although there might be exceptional cases where drastic improvements were made in a short period of time, and “certain exceptional circumstances in which we will affirmatively seek drastic improvements, e.g., our efforts to promote majority rule in Rhodesia,” these should not be expected. The human rights policy would not be a failure if violations continued, “or are reduced in intensity or frequency very slowly or unevenly despite our best efforts.” The objective was one that had “to be pursued over the long term.”⁴⁰

Still, the administration believed it could achieve success. Securing stability was a slow, developing process and real changes took time. It was believed that within the next few years “our efforts will render many governments increas-

37. *Ibid.*, 3–4.

38. *Ibid.*, 5–6.

39. *Ibid.*, 4–6.

40. *Ibid.*, 7–8 (emphasis in the original).

ingly conscious of human rights considerations to the extent that they will, in a meaningful way, take such considerations into account in their policies.” Indeed, the report claimed, “a number of governments have already begun to do so.” The amount of time it would take for change would vary by country and the nature of the human rights violations to be addressed, but the time frame within which to expect improvements in group one would be shorter than those in the other two.⁴¹

In addition, it had to be kept in mind that there were “other major objectives of U.S. foreign policy that are of equal—and in some situations greater—importance” than human rights. These included the fundamental security of the nation, NATO solidarity, strategic arms limitation and other aspects of improving relations with the Soviet Union, peace in the Middle East, and normalization of relations with the People’s Republic of China (PRC). Hence, there would be “situations in which efforts to achieve our human rights goals will have to be modified, delayed or curtailed in deference to other important objectives.” Still, it was stressed that “the clear implication of making the promotion of human rights a fundamental tenet of our foreign policy is that there will henceforth be fewer instances when promotion of human rights will be viewed as a marginal objective.”⁴²

There were other important considerations and potential costs besides these trade-offs in implementing a human rights policy. The administration feared that its policy could create a backlash from other governments, thereby straining relations and worsening human rights conditions. There was also the concern that the inconsistencies inherent in any effort to implement a policy based on an abstract concept such as human rights would provoke criticism. Furthermore, unique cultural and social elements had to be distinguished from human rights violations. “Failure to recognize cultural conflicts,” the document cautioned, “can damage our human rights and other objectives. We must constantly reassess our own standards to ensure that we are not confusing truly objectionable conduct with unfamiliar traditional patterns of relationship or conduct.” Finally, a human rights policy dictated that military assistance to and cooperation with repressive governments be reduced or terminated. As this was done, it was expected that relations with those nations would deteriorate, and that this might “adversely affect U.S. security interests.” Yet, there were greater costs from a failure to take action. If the human rights policy was not fully implemented, there was sure to be “a backlash of public cynicism and Congressional impatience and distrust, which may have an inhibiting or detrimental effect on the whole range of the Administration’s foreign policy.”⁴³

The administration was aware that all of these concerns had to be balanced in each scenario, and, as noted above, no single program, goal, or standard

41. *Ibid.*

42. *Ibid.*, 12–13.

43. *Ibid.*, 13–16.

would be effective in promoting human rights throughout the world. There were too many factors to take into consideration to effectively legislate a mandated response to each, making a flexible policy within certain guidelines the best option. As the report noted, “there are vast differences among human rights conditions in various countries, and what may rise to the level of highly egregious in one country may not be properly so characterized in the setting of another country with different circumstances.” American policy must, therefore, take such differences into account. It would be a problem if the United States was “*required* to take the same action . . . with respect to different countries, even though our own best assessment of the circumstances . . . might indicate that the mandated action would be inappropriate or that other actions should be taken instead.”⁴⁴

Although the same approach would not be effective in every situation, countries were grouped together into four categories designed to assist in analyzing and discussing policy with regards to human rights: Western Democracies; Communist States; Third World Nations; and Gross Violators of Human Rights. In terms of the Western democracies, the administration would seek their support for its human rights policy in order to add weight to American efforts and to reinforce democratic tendencies in nations such as Greece, Portugal, and Spain that had only recently established or reestablished democratic governments. Concerning communist countries, it was necessary to “recognize that major changes in communist regimes and their human rights practices will not take place in the short-term; they are only likely to occur, if at all, gradually as the basic political and social structures of these countries change.” Still, the administration believed that the United States could “positively influence trends in the long-term and encourage improvements in limited but important areas in the short-term,” and that it should “emphasize implementation of the Helsinki Final Act.”⁴⁵

Due to its “pivotal importance,” the Soviet Union merited separate consideration from the other communist states. The administration acknowledged that the Soviet response to American human rights initiatives was “uniformly negative and increasingly sharp, explicitly suggesting that détente is threatened by our policy.” Yet, the administration believed that the objective of Soviet complaints was to reduce American public advocacy of human rights in order to decrease the “most embarrassing aspects for them,” and did not pose a threat to other interests. Rather, Moscow would “continue to pursue its perceived interests in arms control, trade, scientific and cultural exchanges and other areas of our bilateral relations, regardless of our advocacy of human rights,” because of the numerous gains and materials it received. Soviet leaders, under the “inevitable strain of a massive arms race” and “a need to take increasing consumer demands into account and potential unrest in Eastern Europe,” could

44. *Ibid.*, 25 (emphasis in the original).

45. *Ibid.*, 17–18.

not easily abandon détente “because of U.S. human rights advocacy.” Ironically, the main problem in carrying out this policy came from domestic sources. Congressional and public demands for immediate changes in Soviet policy, particularly regarding Jewish emigration, made carrying out a policy focused on the long-term objectives of Carter’s policy difficult to implement. There would be continued pressure, and possibly more legislation, such as the Jackson-Vanik Amendment, that was designed to set rigid standards of human rights behavior by the Soviet Union with automatic penalties. In the end, however, the administration believed that “security interests and human rights concerns can both be accommodated” in relations with the Soviet Union, and that it could manage the problem. Indeed, it had no choice because a “failure to execute an appropriate human rights strategy with proper balance will detract from the political value of our human rights policy elsewhere in the world.”⁴⁶

Conversely, with regard to relations with the People’s Republic of China and the normalization of relations, considerations other than human rights would take priority. There could be human rights initiatives, mainly concerning family reunification, after formal relations were established. Until then, the administration decided not to focus on human rights in conducting relations with China. As the PRM declared, “we should recognize that with respect to human rights we will have little if any leverage with the PRC at this stage in its development.”⁴⁷

Turning to the Third World, the overall concern of the policy was to “reinforce positive human rights and democratic tendencies in the Third World, particularly in states that already have demonstrated good or improving human rights performance,” and to “discourage the arbitrary use of power and promote a more equitable and humane social and economic order” in states where human rights values have yet to take root. American “relations with countries that systematically violate human rights” should be correct and in line with other interests, but not close. “The tone we set in our relations is important to the credibility and thus to the success of our overall policy objectives.” To achieve success, the focus would be on the “promotion of economic and social rights.” The administration believed it would evoke the most positive responses from the various governments and people and demonstrate “a responsiveness, in human rights terms, to their most immediate goals.”⁴⁸

It was the last group of nations, the Gross Violators of Human Rights, that presented the most problems. They required a flexible strategy to first identify them and then to address the governments that showed “a consistent pattern of gross violations of internationally recognized human rights.” On the one hand, the Harkin Amendment and the International Security Assistance and Arms Export Control Act both called for a cessation of assistance to any con-

46. *Ibid.*, 18–20.

47. *Ibid.*, 20.

48. *Ibid.*, 21–22.

sistent violators of human rights, but provided no guidelines for assessing which nations fell into this category. Trying to develop a single measure pointed up “the limitations in the human rights context of requiring uniform actions pursuant to a statutorily-prescribed standard of conduct.” Again, the PRM emphasized that policy had to take into account the “vast differences among human rights conditions in various countries, and what may rise to the level of highly egregious conduct in one country may not be properly so characterized in the setting of another country with different circumstance[s] and a different history.” That is, the determination that human rights violations were taking place did not necessarily answer the question of what action to take. On the other hand, there was the danger of the perception of inconsistency that demanded some uniform questions and manner of evaluating the conditions in different nations. These were divided into three groups: the nature of the case, the potential effectiveness of any actions considered, and the impact of any actions on the other aspects of American policy. While these criteria did not provide an absolute formula for determining the appropriate action, they would serve as a guide to the implementation of effective measures to improve the human rights situation in different nations.⁴⁹

To facilitate this, “an evaluation of the particular types of action . . . must be made in light of, and the action must be tailored to fit, the exigencies of the particular case at hand, consistent with the aims of the overall strategy for the country involved.” Actions should begin with quiet diplomacy of a diplomatic demarche. “There would appear to be no point in starting with more drastic action that would catch an offending government by surprise.” From there, it was emphasized that rewards, as well as penalties, would be an important and effective component of the policy. When used in conjunction with one another, the “carrot” and the “stick” could entice otherwise unyielding opponents into improving conditions. A wide range of tactics were available beyond quiet diplomacy, including public statements, withholding of various forms of aid, and the use of international agencies to support American policy.⁵⁰

A more specific dilemma was posed by how to develop a policy toward friendly and allied nations guilty of various and consistent human rights problems. During the campaign and at the University of Notre Dame, Carter had criticized previous administrations for supporting authoritarian regimes in the name of national security and forming alliances with any anti-communist government. The president was determined to “combine support for our more authoritarian allies and friends with the effective promotion of human rights within their countries. By inducing them to change their repressive policies,” the United States “would enhance freedom and democracy, and help those who suffer from persecution.” That could be accomplished “without replacing a rightist totalitarian regime with a leftist one of the same oppressive charac-

49. *Ibid.*, 23–31.

50. *Ibid.*, 31–38.

ter.”⁵¹ In these states, the report noted, “we have considerable influence, especially where the regime does not feel overwhelmingly threatened by internal security problems,” and the human rights policy “will offer reform-minded elements a viable alternative to communist rhetoric.” It was also critical to remember that a “failure to express human rights concerns would give real support to the continuation of repressive regimes.” Yet, when these nations were linked to American security interests, there was a conflict of priorities that raised a whole new set of questions.⁵²

This difficulty was combined with a further frustration noted in the conclusion of the PRM. “In inaugurating our human rights policy,” the report observed, “we have been faced with the anomaly that the human rights advocates on the Hill who should be our greatest supporters have been frustrated because our actions fail to meet their optimistic expectations.” They were joined by those who sought to use human rights only as a means to hamper *détente* with the Soviet Union. As a result, the inevitable inconsistencies of the policy would bring criticism from both the Right and the Left. Notably, an “insistence on military assistance for offending regimes in which we have little security interest, especially in Latin America, will bring us under increasing fire from Congress as the year goes on unless we can produce visible results.” Simultaneously, the administration expected others in Congress to use human rights “for publicly pillorying the Soviet Union and Eastern European countries.” This meant that the administration, as it fully implemented its policy, needed to review the military aid programs and make sure that the administration bolstered its policy “with examples of the positive results” achieved.⁵³

Given the complexity of the human rights policy, it was difficult to effectively explain all its nuance to the public. Still, it was seen as a necessary undertaking. Brzezinski, often categorized as an opponent of the policy, believed Carter’s new direction was essential. While he “put a stronger emphasis . . . on the notion that strengthening American power was the necessary point of departure” for American policy than Carter or Vance, Brzezinski fully supported the human rights policy. He was “convinced that the idea of basic human rights had a powerful appeal in the emerging world of emancipated but usually non-democratic nation states.” Moreover, Brzezinski thought that the previous administration’s “lack of attention to this issue had undermined international support for the United States.” The national security advisor, therefore, “felt strongly that a major emphasis on human rights as a component of U.S. foreign policy would advance America’s global interests by demonstrating to the emerging nations of the Third World the reality of our democratic system, in sharp contrast to the political system and practices of our adversaries.”⁵⁴

51. Carter, *Keeping Faith*, 143.

52. PRM: Human Rights, 76–77.

53. *Ibid.*, 82–85.

54. Brzezinski, *Power and Principle*, 49, 124.

The beginning of 1978 provided an opportune time for the administration to assess its human rights policy after one year. Overall, it found progress along the lines set out in the Presidential Review Memorandum on Human Rights. Jessica Tuchman of the National Security Council asserted on 5 January 1978 that the “major accomplishment . . . has been to raise this issue to the forefront of world consciousness. Virtually all world leaders are now concerned with human rights. They know that now their human rights image is a significant factor in their standing in the international community—as well as in their relations to the U.S.” Similar to the way that “Earth Day added new words and concepts to the language . . . Carter’s human rights policy, just as dramatically, [has] added a new aspect to international relations.” Tuchman continued by noting that while foreign governments, for obvious reasons, rarely attributed changes to U.S. pressure, nonetheless a careful analysis showed “the change of attitude of the U.S. government toward freedom” to be among the contributing factors in the improvement of human rights conditions in numerous countries, particularly in Latin America. And while in many instances the “liberalizing changes have been slight, and to an extent cosmetic . . . for a released political prisoner or a writer who feels freer to write again, cosmetics are reality.”⁵⁵

In a more comprehensive evaluation prepared by Anthony Lake of the Policy Planning Staff of the State Department later that month, the overall conclusion reached was that the “human rights policy is off to a good start” but that to no one’s surprise “problems remain.” In terms of accomplishments, Lake found that given the human rights policy “our post-Vietnam, post-Watergate image has been greatly improved,” that the United States had taken the ideological initiative back from the Soviet Union, and that people who lived under oppressive regimes found the policy “especially appealing.” The last point “underscores what many of us frequently forget—the U.S. is a model for many countries; our influence transcends our political, economic, and military power and is strikingly important in ethical, cultural, and value areas” United States leadership was encouraging others to take up the issue of human rights, and this increased international pressure had already led to the release of political prisoners in a dozen nations and other improvements around the world. Due to this, the report concluded that “a trend seems to have begun which could gather momentum and which already is improving the plight of individuals—including those under some still authoritarian regimes. And since individuals are what the human rights policy is primarily about, even the scattered and partial successes registered to date are important.”⁵⁶

The assessment found that there had been very little cost in pursuing the human rights policy up to this point. There always needed to be concern that

55. Jessica Tuchman to David Aaron, “Assessment of Human Rights Accomplishments,” 5 January 1978, White House Central Files (hereafter WHCF), Human Rights (hereafter HR), Box HU-1, JCL.

56. Anthony Lake to Cyrus Vance, “The Human Rights Policy: An Interim Assessment,” 16 January 1978, 1, 5–6, WHCF:HR, Box HU-1, JCL.

“the ‘destabilizing’ effect of international attention to human rights may lead some authoritarian regimes to tighten domestic screws.” Yet, in the nations where this was a possibility, “those most affected seem to want us to continue our efforts: they apparently believe that the near-term risk is in their own long-term interest.” Moreover, it was noted that the pursuit of human rights objectives, while they had yet to damage other U.S. aims, could still create conflicts with other foreign policy objectives and lead to conflicts with international organizations and allies. The greatest area of concern was in East Asia, where tensions between security issues and human rights concerns in South Korea and the Philippines needed to be closely watched. Lake observed that this “survey of all the damage our human rights advocacy might have caused to other U.S. interests—but hasn’t—is a useful reminder that other governments’ concrete interest in cooperation with us is often as great as ours with them, and sometimes greater.” Their needs in terms of security or economic aid allows the United States “considerable room for human rights advocacy, without serious damage to other U.S. interests.”⁵⁷

In implementing its policy, however, Washington still had to avoid the danger of being perceived as “the self-appointed guardian of the world’s morals, having shifted from an anti-communist crusade to one equally sanctimonious. If our human rights policy should come to be seen as designed to further some definition of US geopolitical interest, it would not only damage our ability to press the human rights cause, but also make us suspect on other issues.” This was not yet the case. Indeed, “the human rights policy has gone far to reverse the situation where cooperation with us was based more on need than respect.” But the “perception of moral arrogance” could still alter the balance.⁵⁸

That there were inconsistencies in the application of the policy was neither surprising nor a problem. As Lake noted, “there are times when security consideration, or broader political factors, lead us to be ‘softer’ on some countries’ human rights performance than others.” Indeed, “it often is a close call just what action is most likely to produce improvement in a human rights situation.” That meant that “one of the most difficult questions in the human rights business is what actions on our part are most likely to encourage a government to believe that further progress is worthwhile, without leading it to think we believe its human rights problem is solved.” This was further complicated by the fact that the United States had “a good deal more leverage in Latin America” than other regions of the world and, therefore, appeared to be more active there than elsewhere. Moreover, while the administration publicly stated “that all three aspects of human rights (integrity of the person; economic rights; political rights) are equally important,” Washington’s loan decisions, consistent with the PRM on Human Rights, were “much tougher on governments which practice torture, arbitrary arrest and detention and other violations of the person.” An effective

57. *Ibid.*, 6–10.

58. *Ibid.*, 10.

policy, Lake concluded, could only be implemented on a case-by-case basis that took specific and unique factors in each nation into consideration, and avoided trying to use clear guidelines where “certain human rights violations will always receive certain treatment.”⁵⁹

In summary, Lake concluded that “the human rights policy may be the best thing this Administration has going for it. It has enormously improved America’s international standing and our claim to moral leadership,” helped countless numbers of individuals, and improved the political situation in many nations. Yet, “any serious human rights policy will be subject to conflicting criticisms. Limiting ourselves to rhetoric and quiet diplomacy would produce (and deserve) charges of superficiality and hypocrisy,” while “using material pressure (i.e., economic and military assistance) produces charges of moral arrogance.” In addition, “softening our human rights advocacy in some cases to protect other American interests produces accusations of double standards,” while “adjusting our tactics in order to try to be effective in different situations produces accusations of inconsistency.” Some justification could be found in most of these criticisms because “any policy as difficult and complex as this inevitably has a debit side. The balance, however, is decidedly positive, and we do not believe a major change is called for.” The administration has “done a lot in a short time to inject new considerations into American foreign policy—to move beyond formal relations with other governments to a concern with how our actions affect people living under those governments. We have done so with encouraging success, and with little if any cost.”⁶⁰

Still, the assessment concluded, the administration needed to do a better job of explaining its policy to the public “and the possibilities and limits of what we can hope to accomplish. Both the policy and its execution are far more complex than we have managed to convey.” It was, of course, “in the nature of the problem that our performance will not become ‘perfect.’” The State Department, therefore, “should go on the offensive to convey that message, and especially a sophisticated understanding of the obstacles we confront.” To that end, Lake recommended that a Presidential Directive be issued “to clarify to the bureaucracy how the President views the policy, its application, and the range of instruments being used.”⁶¹

On 17 February 1978, the Presidential Directive on Human Rights, NSC-30, was issued by Carter. It declared that “it shall be the major objective of U.S. foreign policy to promote the observance of human rights throughout the world. The policy shall be applied globally, but with due consideration to the cultural, political and historical characteristics of each nation, and to other fundamental U.S. interests with respect to the nation in question.” Specifically, NSC-30 noted that it “shall be the objective of the U.S. human rights policy

59. *Ibid.*, 11–15.

60. *Ibid.*, 20–21.

61. *Ibid.*, 21, 16.



Figure 1: National Security Advisor Zbigniew Brzezinski, President Jimmy Carter, Secretary of State Cyrus Vance, 14 August 1977. (Jimmy Carter Presidential Library)

to reduce worldwide governmental violations of the integrity of the person (e.g., torture; cruel, inhuman or degrading treatment; arbitrary arrest or imprisonment; lengthy detention without trial; and assassination) and to enhance civil and political liberties (e.g., freedom of speech, of religion, of assembly, of movement and of the press; and the right to basic judicial protections).” It would also be a continuing United States objective to “promote basic economic and social rights (e.g., adequate food, education, shelter and health).” The promotion of human rights was to be carried out by using all of the available diplomatic tools and international organizations available to the administration. Positive inducements would be employed over sanctions to encourage change, and those nations that improved their human rights conditions would receive preferential treatment and “special consideration in the allocation of U.S. foreign assistance.”⁶²

By the beginning of 1978, the Carter administration had successfully developed and institutionalized its policy of human rights and made it a central factor in American foreign policy decisions. Yet, as Vance and Christopher pointed out to the president, the administration had “acted with moderation in these

62. Presidential Directive/NSC-30, Human Rights, 17 February 1978, Vertical File: Presidential Directives, JCL.

matters.” Out of over four hundred votes on loans by International Financial Institutions, the administration voted against nine and abstained on fourteen loans on human rights grounds. In terms of bilateral aid, the record was equally moderate as the administration deferred on twenty-two cases of assistance, out of hundreds of requests, due to human rights considerations. Together, these decisions concerned a total of only thirteen countries (Argentina, Benin, Central African Empire, Chile, El Salvador, Ethiopia, Guinea, Nicaragua, Paraguay, Philippines, South Korea, South Yemen, and Uruguay). All of this reflected the effort to place a “greater emphasis on ‘rewards’ rather than ‘sanctions.’” As Carter pointed out in a letter to congressional critics, this record reflected the administration’s desire to first use “positive actions and normal diplomatic channels in pursuing our human rights objectives,” and to direct “a greater share of our bilateral and multilateral assistance to governments that respect human rights.”⁶³

Throughout the rest of his time in office, Carter maintained his commitment to this policy even as the years 1979 and 1980 saw a series of crises for the administration. Domestically, the administration struggled with tremendous economic problems, including double-digit inflation and soaring interest rates. Overseas, 1979 began with the abdication of America’s long-time ally, the shah of Iran, followed by the coming to power of the anti-American regime of the Ayatollah Khomeini. In July, Anastasio Somoza was forced out of office in Nicaragua and replaced by the Sandinistas. Simultaneously, Carter was forced to back off from his pledge to remove American troops from South Korea. That fall, radical Islamic students overran the U.S. embassy in Tehran, an event soon followed by Moscow’s sending troops into neighboring Afghanistan. While there was a shift back toward the verities of the Cold War if one focuses on U.S.-Soviet relations, that was not true for all areas. Using Nicaragua as a case study, it is clear that, in the face of criticism and pressure from many sources, and foreign policy reversals in other areas, Carter maintained his commitment to the essence of his human rights policy and rejected pleas for American intervention that had previously marked relations with Central America. There was constant tension, and always a need to balance human rights against other demands, but the policy was not naive, nor was it abandoned. The key was that human rights provided an alternative to the previous policies of military intervention and support for dictatorships that marred much of the U.S. relations with Latin America and created the crisis in Nicaragua.

By Carter’s second year in office, the Sandinista challenge to Somoza’s rule in Nicaragua reached the point of crisis and tested the administration’s commitment to human rights. The president had made a special point of changing American policy toward Latin America by promoting human rights, a policy that now conflicted with American security interests and support of a friendly

63. Vance and Christopher to Carter, 27 March 1978; and Carter to Moorhead, 12 April 1978, WHCF:HR, Box HU-1, JCL.

dictator. In Nicaragua, Carter faced the central dilemma of his foreign policy: the desire to distance the United States from the Somoza dictatorship and base American policy on human rights without aiding a communist revolution. Carter, however, saw the dichotomy of Somoza or communism as false, and sought to find a third way based on human rights and non-intervention. Developing such a policy was complicated by the division within his administration and the political pressures from Somoza's supporters in the United States. Brzezinski saw the Sandinista revolution as a "challenge thrown down by the Soviet bloc" that demanded the United States provide aid to Somoza.⁶⁴ Vance, however, argued that the roots of the revolution were domestic in origin and stemmed from the abuses of the Somoza regime. The problem of reconciling these positions was further complicated by the domestic division within the United States between the strong pro-Somoza lobby in Congress and growing public awareness and opposition to Somoza's brutal rule. While this article is not the place for an exhaustive analysis of the president's actions toward Nicaragua, it is clear that Carter followed the guidelines set out by his administration to implement his policy. The president combined public praise for improvements by the Somoza regime with private pressure for reform as he sought a middle ground that would protect American interests, promote human rights, and prevent the Sandinistas from seizing power. As he implemented his policy, Carter had to defend his actions against charges that he was abandoning an ally and opening the door to communism in Central America while simultaneously being criticized for supporting a flagrant perpetrator of human rights violations.

Somoza initially acquiesced to Carter's pressure for reform in 1977, lifting press censorship and curtailing the activities of the National Guard. In return, the administration praised the dictator, encouraged further action, and, in response to increased attacks by the Sandinistas in the spring of 1978, sent additional aid to Nicaragua. On 30 June 1978, Carter sent the Nicaraguan dictator a private, personal letter praising the recent promises Somoza made to curtail human rights abuses and reiterating American support for the regime. Carter wrote that the "steps toward respecting human rights you are considering are important and heartening signs; and, as they are translated into actions, will mark a major advance in answering some of the criticisms recently aimed at the Nicaraguan government."⁶⁵ As Robert Strong has demonstrated, the sending of the letter backfired on Carter. Somoza, after initially accepting the letter as a sign of support, came to see it as "designed to give us a false sense of security," as Carter "was stepping up his attack against me and the government of Nicaragua."⁶⁶

64. Brzezinski, *Power and Principle*, 210.

65. Carter to Somoza, 30 June 1978, WHCF:HR, Box HU-1, JCL.

66. Strong, *Working in the World*, 90.

With the Sandinista attack on the National Legislative Palace in September, however, events quickly outpaced Carter's efforts at slowly pushing Somoza to reform his government while maintaining American support. The president was forced to choose between his policy or supporting the dictator. The administration now concluded that the only solution was the removal of Somoza and the establishment of a moderate government to prevent a Sandinista takeover. As Brzezinski told Carter, both the State Department and the National Security Council agreed that the situation was "deteriorating rapidly and that Somoza had decided to take steps to suppress the moderate opposition, thus trying to force us to choose between him and the Sandinistas."⁶⁷ The administration, however, concluded that "ultimately Somoza would have to go."⁶⁸ As Vance noted, the "unique history of our association with the Somozas, puts US prestige on the line," and made it critical that Washington distance itself from the dictator. Moreover, the secretary of state believed that the Sandinistas would lose support if Somoza was replaced, allowing time for a peaceful transition of power. "Support of the status quo through Somoza," Vance concluded, "will simply not serve our interests."⁶⁹

What is significant is that the administration did not support Somoza and instead upheld its policy of human rights and non-intervention. Unlike previous administrations, it did not see only two alternatives, the dictator or communism. Rather, it continued to pressure Somoza and worked toward a moderate solution to the crisis. In September 1978, the administration concluded that any further support of Somoza would only increase the violence in the nation and further polarize the country, "with the moderates in the middle the big losers." It was critical that the United States give the broad opposition in Nicaragua what it wanted, the departure of Somoza. This would allow for a better chance that "a moderate compromise . . . will have the time and elements necessary to take root and grow as a viable democratic alternative to Somoza rule or Marxist encroachments."⁷⁰

At the same time, the administration was facing enormous criticism at home from conservative supporters of Somoza who cast the crisis in Nicaragua in Cold War terms. Led by Congressman John Murphy of New York, they sought full American support, including the use of the military, to save Somoza's regime. Murphy and fifty-nine of his colleagues in the House of Representatives wrote Carter urging the president to take all steps "to demonstrate the support of the United States Government for the Government of Nicaragua and President Anastasio Somoza, a long and consistent ally of the United

67. Memorandum, Brzezinski to Carter, 4 September 1978, Zbigniew Brzezinski Papers (hereafter ZBP), Box 36, JCL.

68. Memorandum of Conversation, "U.S. Policy to Nicaragua," 4 September 1978, ZBP, Box 36, JCL.

69. Memorandum, Vance to Carter, 4 September 1978, ZBP, Box 36, JCL.

70. Memorandum, "Nicaragua—Factors and Figures in the Process Leading to a Transitional Government," 7 September 1978, ZBP, Box 36, JCL.



Figure 2: Jimmy Carter addresses the United Nations, 4 October 1977. (Jimmy Carter Presidential Library)

States.” They claimed that the “campaign of violence, urban terrorism and near civil war in Nicaragua is being carried out by a revolutionary group whose leaders have been trained in Havana and Moscow and whose goal is to make Nicaragua the new Cuba of the Western Hemisphere.” If Somoza fell, “the Marxist terrorists forces would be the chief beneficiaries.” The representatives, therefore, asked Carter “to take immediate steps to correct the misguided application of your policies by the Department of State, particularly regarding unsubstantiated and erroneous allegations against the government of Nicaragua,” and to publicly express support for Somoza.⁷¹

The administration, however, continued to urge negotiations for a transition in government while stepping up the pressure on Somoza to both make concessions and leave office. Washington urged the Nicaraguan dictator to lift the state of siege he declared, grant an amnesty bill for opponents of the regime, and end the censorship of the press. Somoza finally agreed to these concessions in December, but continued to hold on to power. He told the American embassy in Managua that he could “resist both internal and international pressures.”⁷² He was confident in early 1979 that the changes urged by the United States

71. Murphy, et al., to Carter, 25 September 1978, WHCF:CO, Box CO-46, JCL.

72. United States Embassy, Nicaragua to Department of State, 23 December 1978, Nicaragua, Box 2, National Security Archives, George Washington University, Washington, DC (hereafter NSA).

“did not reflect the general wishes of the large mass of Nicaraguans of more modest means who were comfortable with the way things had been done in the past fifty years.”⁷³

As the Carter administration struggled to find a moderate course in Nicaragua in early 1979, the Bureau of Human Rights cautioned that any continued support of Somoza would “undermine our capacity to work for other foreign policy goals in the hemisphere, and raise fundamental and disturbing questions about our strength of purpose internationally,” and destroy the possibility of “opening political institutions and promoting human rights” in the hemisphere. Indeed, a failure to force Somoza to change or leave office would “encourage just those forces likely to promote hardline military and repressive responses to the inevitably unsettled social and political conditions” of the region.⁷⁴ The administration, therefore, continued its efforts to find a moderate alternative to Somoza, convinced that a failure to do so would result in either “leftist governments in the region or the necessity of US intervention.”⁷⁵

At the end of June 1979, the United States made its final attempt to force Somoza to leave office peacefully without creating a power vacuum, seeking to remove the dictator while maintaining the power of a restructured National Guard to provide protection to the transitional government. Carter wrote Somoza again, reminding him that he had rejected all earlier compromises that would have avoided the current fighting and apparent Sandinista victory. “The only chance that remains,” the president stated, “to achieve an enduring and democratic solution is to establish a transition process . . . which will permit moderate elements to survive and compete with extremists.”⁷⁶ Realizing he could no longer hold onto power, and finally convinced that the United States would not save him, Somoza resigned on 17 July 1979. It was, however, too late for an alternative to the Sandinistas, who took power three days later.

Initially, relations between the United States and the Sandinista government were cordial and there was some hope on both sides that friendly relations could be established. The administration reported to Congress that despite some surface similarities between the Nicaraguan and Cuban revolutions, the Sandinistas were an “authentic Nicaraguan phenomenon,” and that “the Sandinista movement represents a societal consensus that radical change was needed in Nicaragua.” After years of repression and civil war, Nicaragua was in great need of aid, and the administration indicated it would be “generous in its assistance and supportive of the democratic aims of the Sandinista revolution.”⁷⁷ Con-

73. United States Embassy, Nicaragua to Department of State, 13 January 1979, Nicaragua, Box 2, NSA.

74. Memorandum, Bureau of Human Rights and Humanitarian Affairs to Bowdler, 19 January 1979, Nicaragua, Box 2, NSA.

75. Memorandum, Pastor to Brzezinski, Aaron, and Owen, 8 June 1979, ZBP, Box 25, JCL.

76. Department of State to United States Embassy, Nicaragua, “Somoza’s Departure,” 14 July 1979, Nicaragua, Box 2, NSA.

77. Embassy, Nicaragua to Department of State, 23 August 1979, Nicaragua, Box 2, NSA.

gressman Murphy, however, led a successful effort in Congress to block any aid to the Sandinistas and relations between Managua and Washington quickly began to deteriorate as each side suspected the worst in the other. By 1980, the administration's belief in the new government's commitment to democracy was shaken when the Sandinistas delayed promised elections. For their part, the Sandinistas feared a coup led by former National Guard soldiers who were organizing in neighboring countries, and tightened their control over the nation. Still, this increasing tension did not mean Carter had abandoned his policy for traditional Cold War policies. He continued to use human rights as a yardstick and rejected American intervention.

Carter would face accusations from conservatives that his human rights policy had destabilized and undermined a critical ally and led to a Communist takeover in Nicaragua. The revolt in Nicaragua, however, was well under way by the time Carter entered office and, barring direct American intervention, beyond his control. The president sought a middle course that he believed would allow him to uphold his human rights policy while also protecting American economic and strategic interests. Somoza's intransigence caused the search for a moderate solution to fail. Liberals, failing to account for Carter's attempts to find a solution that would balance security interests with the principles of human rights, claimed Carter had stood by Somoza and his repressive regime too long. While the administration was unhappy with the outcome, Carter maintained his commitment to both non-intervention and human rights in the face of enormous pressures and did not attempt to rescue Somoza's regime.

If the Carter administration appeared to its critics inconsistent or indecisive at certain times, it was due to the depth of its understanding of the complexity of the problems, its moderation and desire to work through diplomatic channels whenever possible, and efforts to protect what it understood as vital American interests while conducting a foreign policy centered on human rights. An evaluation of Carter's human rights policy by the National Security Council in January 1981 noted that the administration's promotion of human rights through private pressure and public support led to charges of weakness and inconsistency, and was "satisfactory neither to human rights advocates or critics."⁷⁸ Similarly, Brzezinski wrote in his memoir that the charge "that the Carter administration had no central strategy" was incorrect. While policy disagreements over how to respond to Soviet actions "did deflect the Administration from some of its original goals" and "created the impression of an Administration whose objectives were not coherent," these criticisms missed the mark. The problem with the administration's foreign policy, in Brzezinski's estimation, was that it was "overly ambitious and that we failed in our efforts to

78. Lincoln Bloomfield, "The Carter Human Rights Policy: A Provisional Appraisal," 11 January 1981, 20, ZBP, Box 34, JCL.

project effectively to the public the degree to which we were motivated by a coherent and well-thought out viewpoint.”⁷⁹

There is still plenty of room for debate on whether or not that policy was a success, and the conclusions might well vary from case to case. Based on the above examination of the Carter administration’s development of a human rights policy, however, the nature of the debate on Carter’s foreign policy needs to change. It must move beyond the charges that it was weak and naive to an examination of the actual implementation of the policy and its impact on American interests, and it should be judged on the basis of how the administration set out to conduct its policy and not the criteria of its critics.

Moreover, for all of its complexities and difficulties, the effort to develop a post-Cold War foreign policy based on human rights significantly changed the discourse on American foreign policy and made it a central concern of American diplomacy. Human rights was now a fixture on the policy agenda and part of both American and world discussions of international relations. It provided support to those abroad struggling against abusive and dictatorial governments, led to the release of political prisoners in nations in Africa, Asia, Europe, and Latin America, and forced governments to modify their behavior or risk losing American support and aid. The burden now rested on the critics of human rights to make the case for supporting certain dictatorships while opposing others, and rejecting human rights as part of foreign policy considerations. In the end, this change is the most significant of the efforts Jimmy Carter made to forge a post-Cold War foreign policy for the United States that rejected the bipolar worldview of the containment doctrine and sought to introduce American ideals into the making of the nation’s foreign policy.

79. Brzezinski, *Power and Principle*, 56–57.

