

The Reagan Administration, The United Nations & Human Rights

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Abstract

The literature is dominated by a paradigm suggesting that the administration of Ronald Reagan was very poor with respect to the advocacy and promotion of international human rights. The “turnaround thesis” contends that only at the end of the Reagan era, after hardliners had left, were those truly concerned with human rights free to exercise a considerable effect on U.S. foreign policy.

The contention of this article is that rigid acceptance of the conventional view of Reagan’s human rights policy conceals more than it reveals. From the beginning the Reagan team was responsible for substantial contributions in the field of human rights. This will be demonstrated by concentrating on the role played by Dr. Jeane J. Kirkpatrick, U.S. Ambassador to the United Nations and Member of the Presidential Cabinet (1981-5). Kirkpatrick made many important human rights speeches for the administration and offered the most articulate rationale for Reagan’s approach. She has been widely criticized by politicians, scholars and human rights activists. However, this paper will offer evidence that many criticisms are unfounded.

In 2003 Dr. Kirkpatrick led the U.S. delegation to the United Nations Human Rights Commission. Her approach to human rights, therefore, deserves special attention.

Introduction

As this paper is being written, the United Nations is on the verge of inaugurating a Human Rights Council. Its first meeting is tentatively scheduled for June, 19, 2006 in Geneva. Whether it will be an improvement over the outgoing Human Rights Commission remains to be seen. There have been numerous calls for UN reform over the years (Hoge 2006; 2005a; Schlesinger 2005).¹ The Oil-for-Food fiasco has tarnished the reputation of the organization (Hoge 2005c). The United Nations’ performance in human rights has been especially suspect. Its lack of proper action in the former Yugoslavia and Rwanda is scandalous. History appears to be repeating itself in Darfur, Sudan (Hoge 2005b).²

¹ The United Nations continues to have its unabashed supporters.

On October 23, 2005, for example, a panel organized to celebrate the 60th anniversary of the UN was held at the Franklin Delano Roosevelt library and museum in Hyde Park, NY. The four panelists blamed American negative views of the organization on US arrogance, militarism, propaganda as well as right-wingers. The Oil-for-Food fiasco was not mentioned by any of the panelists. When a member of the audience forced the panelists to address the scandal, some laughed. United Nations Fund Executive Director Amir Dossal described the program as a success (Bonopartis 2005).

² On May 5, 2006 the main Darfur rebel group signed a peace accord with the Sudanese government. Two other

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The U.S. administration of President George W. Bush continues to push to make democracy a reality in Iraq. American authorities have been widely criticized for allegedly torturing some of those in their custody. Meanwhile, Slobodan Milosevic has died in prison before a verdict on his alleged war crimes could be reached and the trial of Saddam Hussein, full of theatrics, goes on and on. The Middle East remains a powder keg filled with charges and countercharges of human rights transgressions. Incapacitation of former Prime Minister Ariel Sharon combined with the ascendance to power of Hamas greatly clouds the Arab-Israeli picture. When Chinese leader Hu Jintao is greeted on the White House lawn, he is heckled by a spectator regarding treatment of the Falun Gong in China. Throngs of people throughout the world protest the publication of cartoons in Denmark said to be blasphemous to Islam. Italy shelters a former-Muslim-turned-Christian while many in his native Afghanistan say his execution is mandated by their faith. It is clear that human rights concerns dominate our world now and will do so in the future. It is also apparent that the United Nations will continue to be linked to many of the world's most intractable human rights dilemmas. The Charter upon which the United Nations rests makes frequent mention of "human rights" (Henkin 1965, 504). As we approach the 5th anniversary of September 11th and the 61st anniversary of the United Nations, it is entirely fitting to assess the role played by this collective security institution in protecting human rights. Such a review is serious business and will help exhibit the strengths and weaknesses of this universal intergovernmental organization.

A word of caution is in order. The United Nations as a whole is an extremely complex organization. Those parts of the UN which deal with human rights per se form an intricate labyrinth. Since its inception the UN system for promoting human rights has grown "like topsy"(Alston 1992,

rebel factions refused to sign, however.

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2). Charter-based organs dealing with human rights include the General Assembly (with its Third Committee), the Economic and Social Council (ECOSOC), the Security Council, the Commission on Human Rights (replaced in 2006 by the Human Rights Council), the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Commission on the Status of Women and, perhaps most notably, the UN High Commissioner for Human Rights. Certain human rights treaties (concerning racial discrimination; political and civil rights; discrimination against women; economic, social and cultural rights; torture; rights of children; and migrant workers) created under the auspices of the UN have mandated still other organs to monitor compliance. Moreover, over the years several working groups have been founded to confront issues as varied as contemporary forms of slavery and the plight of indigenous populations. In addition, special rapporteurs have been entrusted to study and report on a whole host of issues ranging from the right to a fair trial to discrimination against peoples with AIDS to human rights and the environment. The UN Secretariat may also play a role in promoting and implementing human rights. Specialized agencies, such as the International Labor Organization (ILO) and the United Nations Educational, Scientific and Cultural Organization (UNESCO), have conducted human rights programs. The UN High Commissioner for Refugees has also done human rights work.

Evaluating the UN Vis á Vis Human Rights

Assessing the performance of the United Nations with respect to human rights is difficult because observers tend to emphasize different things under the rubric of "human rights". For example, some are mostly concerned with political and civil rights (Hauser 1979). Others concentrate on economic, social and cultural rights (Zvobgo 1979). Furthermore, some individuals evaluate the United Nations' performance in terms of a relatively short time span. Other people take a long-range

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perspective. Also, certain observers evaluate the UN primarily in terms of its role in incrementally establishing or promoting human rights criteria in international law (Drinan 1987). But, others measure the UN according to how well it has actually implemented and enforced existing human rights standards. Finally, some evaluators of the UN, when all is said and done, do not expect too much of the organization. Others have lofty aspirations. The aforementioned observations help to explain in part why scholars sharply differ in their views of the United Nations concerning human rights (Muravchik 2005; Forsythe 1991; Farer 1987).

The new UN Human Rights Council is controversial before it becomes an operational reality. The Council was created on March 15, 2006 by the UN General Assembly. One hundred seventy countries voted for the entity. Four nations voted against the resolution: Israel, Marshall Islands, Palau, and the United States. Three countries abstained: Belarus, Iran and Venezuela. The United States has decided not to run for a seat during the May 9, 2006 election.

The Conventional Wisdom

On the first page of the Introduction to his popular book on Argentina's Dirty War, human rights and the United Nations, Iain Guest writes:

During the 1980s, it has been an article of faith ... that the U.N. is "politicized", its human rights machinery "selective"... Whether or not this is true of 1990 lies beyond the scope of this study, but it was certainly not the case in 1980 (Guest 1990, xiii).

This paper contends that Mr. Guest is incorrect in his major assertion that in 1980 the United Nations human rights machinery was neither selective nor politicized. Facts suggest otherwise. The history of the United Nations with respect to human rights, particularly their actual protection and implementation, was decidedly checkered and lackluster in the 1980s. Moreover, the UN's human rights performance was extremely weak in the 1970s and remains poor to this day. To understand

why this is so, it is important to concentrate on more than just one case study.

The Perspective of the Reagan Administration

This article will explain how key players within the administration of President Ronald Reagan - most notably, Ambassador Jeane J. Kirkpatrick, his permanent representative to the UN - perceived and analyzed the United Nations with respect to its human rights mandate.³ First, Kirkpatrick's view of the UN as a political system will be explored. Subsequently, her ideas on human rights and US foreign policy and the United Nations will be examined. Then, empirical evidence will be cited in an attempt to learn whether there is support for her major contentions.

During the Reagan era the UN came under very sharp attack from the government of the United States. Reagan, claiming parts of the UN were being used for anti-American purposes, cut off millions of dollars normally targeted for the international organization. Many people who championed the cause of human rights were (and are) extremely critical of the President's posture vis á vis the United Nations as well as of his human rights policy (Americas Watch, Helsinki Watch and Lawyers Committee for International Human Rights 1984; Brown 1985). Reagan's support of the contras in Nicaragua was especially scorned. Indeed, some commentators believed Reagan's policy on human rights was so abysmal that members of his administration could not possibly have anything worthwhile to say about that subject or about the United Nations. One of the purposes of this paper is to assess whether or not this is true.

The Kirkpatrick Critique

³ Due to spatial limitations this paper will concentrate on the works of Dr. Jeane J. Kirkpatrick. It should be understood, however, that many other people in the Reagan administration largely shared Kirkpatrick's views. This is especially true of Ambassador Jose Sorzano, who led the US delegation at ECOSOC, and Ambassadors Michael Novak and Richard Schifter, who represented the United States in Geneva at the UN Commission on Human Rights during the Reagan era (Novak and Schifter 1981; Schifter 1989).

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It is both appropriate and useful to study the ideas of Dr. Jeane J. Kirkpatrick⁴ relating to the United Nations and human rights. As a professional political scientist and member of both the Cabinet and the National Security Council, Reagan's ambassador to the UN was the administration's most articulate spokesperson regarding these matters.⁵ The Kirkpatrick Doctrine⁶ on dictatorships and double standards has been cited as guiding US human rights policy between 1981 and 1985 (Forsythe 1990, 442). More generally, it has been suggested that Dr. Kirkpatrick initiated a debate over the value of the United Nations that would become a constant in American politics (Nossiter 1982).

On the UN as a Political System

Kirkpatrick viewed the United Nations in the early 1980s as a political system in which the United States frequently had virtually no influence (Kirkpatrick 1988). It was a place that bred “conflict extension, exacerbation and polarization” and where the United States was recklessly insulted (Nossiter 1982). Unlike some conservatives who favored a US withdrawal from the organization, Kirkpatrick argued that the UN was important and that possible constructive outcomes

⁴ For a concise biography of Kirkpatrick see: Nossiter 1982. It is worth noting that Dr. Kirkpatrick was a “Hubert Humphrey Democrat” who became disillusioned with the Democratic Party when George McGovern became its leader.

⁵ As a rule, Kirkpatrick allowed her subordinates to deliver speeches at the UN on issues on which they had labored. But, she also thought it was desirable for her to personally deliver the speeches that the U.S. government wanted to especially underline. Consequently, Kirkpatrick almost always gave the US addresses in the Third Committee and in general delivered the key human rights speeches for the United States. Jeane J. Kirkpatrick, interview by author, Washington, D.C., 27 April 1992.

⁶ The Doctrine has been the subject of much controversy and misunderstanding. Those critical of Kirkpatrick and the Reagan Administration say it advocated preferential treatment for authoritarian allies at the expense of communist foes. The Doctrine was used to brand Kirkpatrick as a witch who did not care about oppression and suffering in many parts of the world.

Kirkpatrick explains differences between authoritarian and totalitarian regimes have long been known to political scientists. As of the time of her writing “Dictatorships and Double Standards,” there was not a single instance of a totalitarian government changing into a democracy *on its own accord*. American foreign policy makers must be wary lest they fall into a trap like President Carter. The latter was so tough on the authoritarian governments in Nicaragua and Iran, that he led the way for much more oppressive totalitarian governments in both.

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made the UN worthy of American participation. For example, she valued the United Nations Development Program.

What happened at Turtle Bay, particularly in the long run, might influence important events. However, she lamented that her country had “progressively acquiesced in a notion that it was a normal part of U.N.-ery for us to be essentially isolated and lacking in influence” (Nossiter 1982). Past American feather touch diplomacy had prevented the United States from achieving its goals. Thus, she disdained State Department bureaucracy, championed forthright rebuttal and spoke bluntly.

The UN was seen by Kirkpatrick as a special type of representative body that represented governmental rulers. However, the latter did not necessarily represent their own people. That the UN had not in her opinion even remotely fulfilled the expectations of its founders was in no small measure attributable to its system of voting blocs and US lack of participation in same.

Blocs could be geographical, political, economic, ideological, cultural, etc. They could be large or small, loose or cohesive, disciplined or non-disciplined, heterogeneous or homogenous. Whatever their configuration, blocs were the key to the main political decisions in the General Assembly, the Economic and Social Council, and, to a larger extent than commonly realized, in the Security Council. The more cohesive a bloc, the more likely it would be effective.

According to Kirkpatrick, in the General Assembly radical views often dominated because of bloc politics. Thus, the 1975 resolution of that body equating Zionism with racism was a result of an African bloc - Arab bloc alliance.⁷ The former gave its support to this resolution in exchange for

⁷ The resolution was finally repealed in 1991. Unfortunately, anti-Semitism has often reared its ugly head at the United Nations. Anne Bayefsky has documented the tale. She reckons about 30 percent of all UN Commission on Human Rights resolutions condemning specific states have been directed at Israel. At the NGO forum at the 2001

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the latter's help on South African issues.

Dr. Kirkpatrick referred to UN blocs as "happy hunting ground" for radical factions such as the Soviets, Libyans, Syrians, and Cubans (Gerson 1991). She noted a dynamic of extremism whereby people supporting the wildest positions in the UN appeared to gain disproportionate influence. The largest bloc, the non-aligned, was never cohesive unless it united to foster a position acceptable to the USSR. Furthermore, the politically astute Soviets encouraged client states, like Cuba, to join the non-aligned movement. Hence, the Soviet Union, in marked contrast to the USA, was very successful in various UN bodies in the 1980s. In comparison, the United States was not a member of any bloc and paid the price in the form of impotence.⁸ Only when the bloc system failed could it exercise power.⁹ It was forced to scramble to form new coalitions for every issue. The lack of power was symbolized by evermore frequent American vetoes in the Security Council - a sure sign that the US did not have sufficient clout to stop adverse resolutions by mustering the requisite votes. Regarding the General Assembly Kirkpatrick complained that "those who pay the bill don't have the votes, and those who have the votes don't pay the bill" (Lewis 1983).

On Human Rights and the United States

Kirkpatrick's critique of President Jimmy Carter's human rights policy first brought her to the

UN World Conference Against Racism at Durban, South Africa, "the Arab Lawyer's Union freely distributed books containing cartoons of swastika-festooned Israelis and fanged, hook-nosed Jews, blood dripping from their hands." Appeals to Mary Robinson, then UN High Commissioner for Human Rights, to force removal of this and other anti-Semitic literature "went unheeded" (Bayefsky 2004).

⁸ Kirkpatrick told the Heritage Foundation: "I believe very reluctantly that the decline of the United States' influence in the United Nations is part of the U.S decline in the world, and it is a direct reflection of a persistent ineptitude in international relations, an ineptitude that has persisted through several decades, several Administrations... We have not been good at the politics of the United Nations...we simply have behaved like a bunch of amateurs, in my opinion..." (Reston 1982).

⁹ An example was when the Soviets invaded Afghanistan and thereby infuriated certain Moslem states. The latter were eventually willing to join the US in the UN by supporting a resolution condemning the situation. However, the resolution that passed was very weak and did not even mention the Soviets by name. Jose Sorzano, interview by author,

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attention of Ronald Reagan (Kirkpatrick 1979, 1982). Dr. Kirkpatrick believed the much publicized Carter stance was flawed because of its:

1. failure to recognize that human rights must rest on specific institutions - stabilized patterns of human behavior
2. consideration of human rights violations independently of context
3. nearly exclusive focus on human rights violations by governments while tending to exclude atrocities by terrorists and guerrilla groups
4. emphasis on social and economic "rights" as opposed to "aspirations"
5. universal human rights rhetoric which was almost invariably anti-Western in its application
6. overwhelming concern with purity of intentions rather than actual consequences
7. attempt to invoke universal moral rules as justification for a policy which will necessarily be selectively applied
8. disinclination to single out communist countries (e.g. USSR, Cambodia, Rumania, Yugoslavia) for human rights transgressions
9. public criticism of countries such as South Korea and the Philippines which helped to delegitimize them while simultaneously rendering them less susceptible to American views
10. tendency to attempt to influence other governments by publicly humiliating them rather than by using quiet persuasion and diplomacy¹⁰

On Human Rights and the United Nations

In a statement before the Third

Arlington, VA, 30 April 1992.

¹⁰ "In the Reagan administration, I think it is fair to say, we totally rejected the notion that human rights had been a Carter issue. I particularly rejected it... I never believed the Carter record on human rights was very good, but neither did Ronald Reagan, and neither did most people in the Reagan administration. We thought our record was a lot better than theirs because we thought we had a much more evenhanded human rights policy."

Kirkpatrick explained that she was a "Scoop Jackson Democrat" and human rights was *our* big issue. It was the Jackson-Vanik Amendment that was the first effort to link US policy to human rights practices in other countries. It was also an amendment *pushed by Jackson supporters* that was incorporated into the Democratic platform on which Carter eventually ran. Jeane J. Kirkpatrick, interview by author, Washington, DC, 27 April 1992.

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Committee of the UN General Assembly, Dr. Kirkpatrick summarized her views on the UN's track record on human rights (Kirkpatrick 1983). She said that the UN had no more important charge than the protection and expansion of the rights of persons. These rights of individuals, in turn, were most effectively promoted through democratic political institutions insuring *inter alia* periodic, meaningful, competitive elections and freedom of press and assembly.¹¹ She added: "There would be no serious human rights abuses if all peoples enjoyed self-government and democracy" (Kirkpatrick 1983, 47). Since human rights can be violated by private violence as well as public coercion, the protection of human rights should have a double focus: working against both forms of abuse. Most importantly, said Kirkpatrick, reasonable human rights judgments, must depend on both standards and contexts:

All infringements of the rights of citizens must be judged by the same standard, and the concrete circumstances in which they occur must always be taken into account (Kirkpatrick 1983, 48).

Thus, Kirkpatrick argued it was unreasonable to expect weak governments in strife-torn societies to maintain order and justice on the same level as strong well-established governments. It was likewise unwise to dilute the special meaning to "human rights" by including under that rubric a proliferating list of virtually all objects of human desire. Most importantly, it was wrong to single out for harsh criticism some members of the UN while completely ignoring others with worse records. Her evaluation of the United Nations stood in sharp contrast to the aforementioned ideas of Iain Guest. The latter wrote:

... the U.N. was never more effective in promoting human rights than on the eve of Mr. Reagan's accession, and that this was largely due to its vigorous - if belated - response to the disappearances in Latin America (Guest 1990, xiii).

¹¹ "You know, nobody was making the case for democracy. It's a very interesting fact that the democratic nations of the West had in the UN and in other multilateral bodies almost abandoned the field to the Marxist-Leninists. And we started making the case for democracy - making the case for freedom, if you will." Jeane J. Kirkpatrick, interview by author, Washington, DC, 27 April 1992.

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Kirkpatrick countered:

No aspect of the United Nations affairs has been more perverted by the politicization of the last decade than have its human rights activities (Kirkpatrick 1983, 48).

The main targets of scorn in the UN had for years been South Africa, Israel and certain non-communist Latin American countries. But other regimes had "more brutally repressed and slaughtered their citizens" (Kirkpatrick 1983, 49). Yet, the human rights agencies of the United Nations were silent on the abuses of regimes like Pol Pot's Kampuchea, Idi Amin's Uganda, Leonid Brezhnev's Soviet Union, and Fidel Castro's Cuba. Clearly some persons and governments in the UN utilized human rights as a political weapon - wielded by the mighty against the weak, by the majority against the isolated, and by the blocs against the unorganized.¹²

The Donnelly Study

In 1988 Professor Jack Donnelly published an important quantitative study of the question of UN bias pertaining to human rights. Through analysis of meeting times¹³ in both ECOSOC's Commission on Human Rights and the General Assembly's Third (Social, Humanitarian and Cultural) Committee, he concluded bias was "one of the most important impediments to increasing the effectiveness of the United Nation's human rights work" (Donnelly 1988).

¹² US Ambassador to ECOSOC, Dr. Jose Sorzano, notes that, until the time of the Reagan administration, the UN Human Rights Commission and the Third Committee of the UN General Assembly had never condemned the human rights violations in any communist country. This was a result of a "mutual protection society." The radicals and the Soviet bloc collectively had about sixty votes - enough to prevent the adoption of any such resolution. They protected themselves with this "I'll scratch your back and you scratch mine" arrangement. Thus, a former Western European colonial power was intimidated from supporting a resolution critical of the Castro regime in Cuba. If it dared to back the measure, *it* would soon be the subject of another damning resolution sponsored by the radicals and Soviets. Eventually this scheme started to show cracks over Poland and Afghanistan.

The preferred gambit used to embarrass the United States at the United Nations was to try and lure the US to vote "no" on a "motherhood and apple pie" resolution. This was done by intentionally inserting a paragraph that it was well known in advance the US could not possibly sanction into an otherwise splendid resolution. Predictably the US would cast a vote against the document - even though ninety percent of it was perfectly acceptable - and pay the price in terms of adverse world public opinion. Jose Sorzano, interview by author, Arlington, VA, 30 April 1992.

¹³ Philip Alston would have preferred an approach of studying the number of resolutions adopted on each issue, or combining that indicator with meeting time.

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Hence, Donnelly's study gives strong support to those, such as Jeane Kirkpatrick and Senator Daniel Patrick Moynihan¹⁴ (also a former U.S. Permanent Representative to the UN), that have accused the United Nations of double standards and bias (Moynihan 1978). Between 1965 and 1985 the Third World, with Soviet bloc backing, shifted the bulk of the human rights discussion at the UN to self determination, racial discrimination, and economic and social rights. The Commission, especially between 1980 and 1985, seriously shortchanged the discussion of civil liberties such as freedoms of speech, press, assembly, and association – those rights people use to shape their governments (Donnelly 1988, 281).¹⁵

The professor found a similar pattern of priorities in the Third Committee of the General Assembly. While certain "pariah" regimes (South Africa, Chile, and Israel) received super-abundant attention, partisan politics sheltered some states, equally bad or worse, from any scrutiny whatsoever. The Uganda of Amin escaped public pressure by the Commission as did the second Obote regime and Mengistu's Ethiopia. Indonesian human right violations in East Timor were largely ignored as were transgressions in Kampuchea and Equatorial Guinea (Donnelly 1988, 288).

African countries other than South Africa were rarely rebuked by the Commission. In Asia, Vietnam, both Koreas, and the Philippines escaped censure as did all Arab countries in the Middle East. Afghanistan and Poland were the only Soviet client states to receive Commission study. Latin America's Argentina, Cuba, and Uruguay were similarly neglected (Donnelly 1988, 293).

¹⁴ Moynihan believed totalitarian regimes in the United Nations used human rights language to delegitimize the West.

¹⁵ Third World regimes, notes Donnelly, largely control the agenda and have a great deal to hide concerning their record on economic and social rights. Hence, they prefer to keep the discussions on these matters to generalities and avoid embarrassing specifics.

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In the General Assembly, Donnelly discovered a very disappointing record of resolutions for human rights violations. Aside from the pariahs, General Assembly activity concentrated primarily on El Salvador, Guatemala, and revolutionary Iran. Donnelly concludes:

... only politics can explain why resolutions have been adopted on these countries but not on dozens ... with records as bad or worse ... comparably repressive Soviet-backed regimes have not been subjected to comparable scrutiny (Donnelly 1988, 295).

Conclusion

As stated above, the machinery at the United Nations for developing, promoting, and implementing human rights is exceedingly complex. Therefore, it is not easy to fairly evaluate. How one grades the UN is a function of one's expectations of it as well as many other factors.

This paper has detailed the major criticisms of the UN's work on human rights as propounded by Ronald Reagan's UN ambassador, Jeane Kirkpatrick. Many people feel it is curious, or even scandalous, to link Reagan (or his top advisers) and human rights¹⁶ because of his support for the contras in Nicaragua, other policies in Latin America, suspicion of international organization, alleged neglect of economic and social rights, and the supposed lack of support for human rights in past Republican presidencies, etc. (*New York Times* 1981; Jacoby 1986; Forsythe 1989; Lunardini 1982; Neier 1989).¹⁷ Nevertheless, the empirical evidence presented by scholars, including Kirkpatrick herself, in no small measure supports the key contentions of members of Reagan's foreign policy brain trust. Despite Mr. Guest's protestations to the contrary, the simple fact is that for most of its sixty plus years the UN has been extremely "political" and "selective" vis á vis human

¹⁶ Kirkpatrick has been perceived as controversial by some. At the University of California at Berkeley and the University of Minnesota she was repeatedly howled down by protesters. A *New York Times* editorial correctly stated these demonstrations betrayed the "spirit of free inquiry that is the heart of a university" (*New York Times* 1983).

Despite the fact that during her time in office Kirkpatrick was the highest-ranking woman in the history of American foreign policy, she was denigrated by some feminists in the United States. Kirkpatrick maintains that the Moscow propaganda machine cultivated a negative image of her in the eyes of many UN members. She claims both State Department and K.G.B. files offer proof (Barbara Crossette 1994).

¹⁷ For a different point of view, see Cohen 2003.

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rights issues.

These shortcomings are nothing new. Former US Ambassador to Burundi (1964 - 72), Thomas Patrick Melady, has lamented, for example, the double standard operating at the UN in the 1970s. This permitted too much attention to be focused on South African apartheid at the expense of any attention on Uganda, Burundi, and the former East Pakistan - three cases in which tens of thousands were massacred (Melady 1975).

Professor of Law Philip Alston has written:

It is easy to cite a string of situations during the 1970s... which involved egregious violations but which failed to attract any specific UN sanction... review of the 1980s... will yield an infinitely more favourable balance sheet... (Alston 1992, 14).

Nevertheless, this paper has demonstrated that the UN's human rights record even in the 1980s was extremely suspect. Kirkpatrick was correct in her major assertions on this score. Although her ideas were anathema to those holding naïve “irrational exuberance” in international organizations, she made a major contribution to the cause of worldwide human rights by accurately describing the duplicity of the United Nations in these matters.

It may be that the end of the Cold War and the collapse of the Soviet bloc may lead to a UN system in which human rights abuses are considered more evenhandedly. This has not yet come to pass. Other blocs remain. Countries of special status, such as China - despite Tiananmen Square - are likely to remain unchecked by the UN. It is equally probable that, as in the past, some of the worst violators of human rights will from time to time sit on UN human rights bodies (Baehr and Gordenker 1992).

In 2002, the United States, for the first time, did not receive the votes necessary to be re-elected to the UN Human Rights Commission.¹⁸ The Commission affirmed “the legitimate right of

¹⁸ Joshua Muravchik notes that Cuba and China lobbied especially hard to keep the United States off the Commission. What distinguished the 2002 proceedings was not just the absence of a US delegation, but new levels of hypocrisy (Muravchik 2002).

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the Palestinian people to resist Israeli occupation”; but, it did nothing to condemn groups like Hamas which had just sent a suicide bomber to kill Israelis celebrating Passover (Gold 2004).

The following year, Dr. Kirkpatrick headed the American delegation to the annual 6-week session in Geneva. Libya was elected chair and the group was “filled with an assortment of world-class rights abusers, including Syria, Sudan, Sierra Leone, and Uganda.” Kirkpatrick was dismayed that “Russia voted almost exactly as it had during the Cold War”- siding with dictatorships represented on the Commission. She was encouraged, on the other hand, that democratic states displayed considerable solidarity –with the notable exception of matters involving Israel (Kirkpatrick 2003; Dershowitz 2003, 182; Muravchik 2005, 83).

As the Commission was meeting, Fidel Castro’s government was sentencing scores of “Cuban teachers, doctors, journalists and librarians to prison terms of 12 to 26 years, at trials lasting less than a day each”. The Commission took no immediate action to register its disapproval. Neither did the Commission reprimand Russia for repression in Chechnya, the Sudan for slavery, Zimbabwe for murder, nor China for victimizing the Falun Gong (Kirkpatrick 2003).

Joshua Muravchik argues persuasively that much of the rank hypocrisy concerning human rights in the United Nations stems from the influence of the Non-Aligned Movement. He claims NAM’s spirit of “developing world versus the West” infuses various UN caucuses and regional blocs. One result was that in 2004 the UN refused to make any significant criticism of ethnic cleansing in Darfur (Muravchik 2005, 83). This is eerily reminiscent of the United Nations’ intransigence in Bosnia and Rwanda (Power 2002).

Much optimism over the new Human Rights Council has been expressed by UN Secretary-General Kofi Annan, General Assembly President Jan Eliasson and High Commissioner for Human Rights Louise Arbour. The latter, for example, has stated that candidates for Council membership will have to make commitments on human rights.¹⁹ Election to the Council (for a three year

¹⁹ The United Nations has apparently decided to make pledges available only in the native languages.

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renewable term) requires approval via secret ballot of 96 of 191 UN members. The human rights records of elected members are first in line to be scrutinized. Council members guilty of gross and systematic human rights violations may be suspended by a 2/3 majority vote of the General Assembly (UN Press Release 2006). The Council will meet for at least 10 weeks per year and can under certain circumstances hold special sessions.

But, the aforementioned optimism seems ill-placed. According to UN documents, no substantive eligibility criterion re human rights is required for membership. As of late April 2006, the following list of candidates for the Human Rights Council has emerged: Algeria, China, Cuba, Iran, Pakistan and Saudi Arabia. This is hardly a group to inspire confidence in the new system. Furthermore, membership on the Council is determined by geographical distribution rules. This means that Africa and Asia are each allotted 13 seats; Eastern Europe, 6; and Latin America/Caribbean, 8. The remaining 7 seats are left for the Western European and Others Group, of which the United States is a member. As a result, the new 47-member Human Rights Council can easily be dominated by autocracies (Bayefsky 2006).

If such spectacles continue, they will surely gravely detract from the splendid work of countless dedicated people within the UN system who endeavor to build a more humane world. Those individuals and the people they seek to protect deserve better.

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