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54. Memorandum From the Deputy Secretary of State (Clark) and the Under Secretary of State for Management (Kennedy) to Secretary of State Haig¹

Washington, October 26, 1981

SUBJECT

Reinvigoration of Human Rights Policy

PART I: HUMAN RIGHTS POLICY

Overall Political Goals

Human rights is at the core of our foreign policy, because it is central to America's conception of itself. This nation did not "develop." It was created, with specific political purposes in mind. It is true that as much as America invented "human rights," conceptions of liberty invented America. It follows that "human rights" isn't something we add on to our foreign policy, but is its very purpose: the defense and promotion of liberty in the world. This is not merely a rhetorical point: We will never maintain wide public support for our foreign policy unless we can relate it to American ideals and to the defense of freedom. Congressional belief that we have no consistent human rights policy threatens to disrupt important foreign policy initiatives, such as aid to El Salvador. In fact, human rights has been one of the main directions of domestic attack on the Administration's foreign policy.

East-West Relations and the Battle for Western Opinion

"Americans don't fight and die for a second car or fancy refrigerator. They will fight for ideas, for the idea of freedom."

Representative Millicent Fenwick

"Human Rights"—meaning political rights and civil liberties—gives us the best opportunity to convey what is ultimately at issue in our contest with the Soviet bloc. The fundamental difference between us is not in economic or social policy, but in our attitudes toward freedom. *Our ability to resist the Soviets around the world depends in part on our ability to draw this distinction and persuade others of it.*

Neutralism in Europe or Japan, or a sagging of spirit here at home, results in part from fear of Soviet military might and fear that we do not or will not have the power to resist. But—particularly in the younger generation—its cause lies even more in relativism, in a refusal to acknowledge the distinctions between them and us. Why arm, and why fight, if the two [Page 168] superpowers are morally equal? Our human rights policy is at the center of our response, and its audience is not only at home but in Western Europe and Japan, and among electorates elsewhere. We must continue to draw that central distinction in international politics—between free nations and those that are not free. To fail at this will ultimately mean failure in staving off movement toward neutralism in many parts of the West. That is why a credible US policy in this area is so vitally important. Our new policy should convey a sense that US foreign policy as a whole is a positive force for freedom and decency in the long run.

Two-track Policy

We recommend a two-track policy, positive as well as negative, to guide our rhetoric and our policy choices. On the *positive track we should take the offensive*:

- Expounding our beliefs and opposing the USSR in the UN, CSCE and other bodies;
- Hitting hard at abuses of freedom and decency by communist nations;
- Reinforcing international moral and legal standards whenever possible. (We can help by responding strongly to outrages against our citizens and diplomats and by undertaking a serious program against terrorism.)
- Restoring our reputation as a reliable partner for our friends, so as to maximize the influence of our quiet diplomacy.

On the *negative track, we must respond to serious abuses*. It is clear that human rights is not the largest element in bilateral relations. It must be balanced against US economic and security interests. It must take into account the pressures a regime is under and the nature of its enemies. We must be *honest* about this. We should not, if Pakistan or Argentina is abridging freedom, say it is not; we should instead say (if it is) that it is and that we regret it and oppose it. Then we can add that in the case in question, terrorism or revolution or US security interests, or whatever, are present and make a cutoff of aid or arms or relations a bad idea. We should note the words the Hippocratic oath addresses to would-be intervenors, “First do no harm.” It does not help human rights to replace a bad regime with a worse one, or a corrupt dictator with a zealous Communist politburo.

We have to be prepared to pay a price. In most *specific cases* taken alone, the need for good bilateral relations will seem to outweigh our broad concerns for freedom and decency. Nevertheless, it is a major error to subordinate these considerations in each case—because *taken together* these decisions will destroy our policy. They will therefore feed the view that we don’t care about violations of human rights and will undercut our efforts to sway public opinion at home and abroad. *If we act [Page 169] as if offenses against freedom don’t matter in countries friendly to us, no one will take seriously our words about Communist violations*, and few abroad will take seriously our argument that our society (and our military effort) are dedicated to preserving freedom.

In practice this means that we must, in the MDBs,² abstain or vote against friendly countries on human rights grounds if their conduct merits it, although we should also motivate further improvement by voting “yes” when there has been substantial progress. It also means that in highly controversial areas such as crime control equipment, we should not issue licenses in questionable cases. (While there will be exceptions, this is a political rather than a security issue: this equipment is readily available on the market and those who need it can get it, so that our decision will not hurt other nations’ security but can powerfully undercut our human rights policy.

Dealing With The Soviets

We must also be prepared to give human rights considerations serious weight in our dealings with the Soviet Union. The Soviets are a special case, for they are the major threat to liberty in the world. Human rights *must* be central to our assault on them, if we are to rally Americans and foreigners to resist Soviet blandishments or fight Soviet aggression. But to be seen as serious we must raise human rights issues in our discussions with the Soviets. In forums such as the UN, we must address issues such as abuse of psychiatry and restrictions on emigration. With Soviet or Soviet-sponsored invasions (in Afghanistan and Kampuchea) under attack in the UN, with Poles demanding political freedom, with Soviet CW violations coming to light,³ now is the time to press the issue of Soviet human rights violations.

A human rights policy means trouble, for it means hard choices which may adversely affect certain bilateral relations. At the very least, we will have to speak honestly about our friends’ human rights violations and justify any decision that other considerations (economic, military, etc.) are determinative. There is no escaping this without destroying the policy, for

otherwise what would be left is simply coddling friends and criticizing foes. Despite the costs of such a real human rights policy, *it is worth doing and indeed it is essential*. We need not only a military response to the Soviets, which can reassure European and Asian allies and various friends around the world. We also need an ideological response, which reminds our citizens and theirs what the game is all about and why it is worth the effort. We aren't struggling for oil or wheat or [\[Page 170\]](#) territory but for political liberty. The goal of human rights policy is to improve human rights performance whenever we sensibly can; and to demonstrate, by acting to defend liberty and speaking honestly about its enemies, that the difference between East and West is the crucial political distinction of our times.

1. Source: Department of State, Central Foreign Policy File, P820048-0941. Confidential. Printed from an unsigned copy.↵
2. Reference is to multilateral development banks.↵
3. Not further identified.↵