

By Terry Allen

GENEVA, SWITZERLAND

**T**HIS SPRING, FOR THE 46TH TIME, THE UNITED Nations Human Rights Commission (UNHRC) deliberated six weeks on the state of human rights in the world. Attending the session is like watching blood dry.

Mostly in the final weeks, the 43 commission member nations vote on a series of resolutions recommending action or censure. The 75 observer nations and dozens of non-governmental organizations (NGOs) can speak on particular issues. Leveling attacks on rival states and avoiding becoming the focus of condemnatory resolutions are basic aims of many of the attenders.

Hundreds of hours of self-serving attacks, counterattacks, parries and defenses, interspersed with chilling accounts of torture and abuse, precede the voting. A kind of blunt tedium, horrifying in itself, sets in. Even the sleek diplomats, whose expensive European cars are parked outside the cool marble Palais, acknowledge the irony of holding a human-rights conference in Geneva, an affluent, smugly efficient city far from the smell of electrode on flesh.

In the case of moderately horrendous abuses, resolutions call for the appointment of advisory services. Then, U.N. experts, subject to government approval, teach and help implement international standards within the country's offending institutions—usually the military, police and judiciary.

The designation of a special rapporteur, the commission's strongest censure, is reserved for those countries found to have consistent and gross violations. The rapporteur investigates, documents and reports back in detail to the next session on what violations were perpetrated and by whom. Needless to say, scrutiny of this kind can prove embarrassing to targeted governments.

Occasionally, the raw testimony of a victim who has the money, connections and sophistication to seek out this forum is heard. But usually internal intrigues, myopic feuds and jockeying for political advantage assume more importance than the events decried and chronicled. In the halls, restaurants and at the posh evening receptions, grim trades are made: "Vote with my country not to condemn X and I will vote with you to condemn Y."

Even more blatant deals are cut. The U.S. in particular uses its political and economic clout like a blunt instrument to bully compliance with its objectives. In the early years of the commission, which was founded after World War II, the U.S. was able to use the forum to excoriate its rivals and punish those Third World countries that were insufficiently servile. Now, however, there is a growing sense among representatives to the U.S. body that, despite its enormous military, economic and political power, the U.S. is in decline, increasingly out of touch and isolated.

It is no longer unusual for the U.S. to lose important votes. (In the commission, unlike the Security Council, voting is by majority rule and no countries have veto power.) Despite U.S. pressure, in February the commission condemned the Israeli resettlement of Soviet Jews in the Occupied Territories and the U.S. invasion of Panama. The commission also rejected loosening sanctions on South Africa.

**The Cuban squeeze:** When it came to the vilification of Cuba, however, the U.S. pulled out all the stops. Since the 1987 session, it has unsuccessfully tried to relegate this "bastion of Stalinism" in its backyard to the status of world pariah. To this end, the

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The U.S. delegation to the U.N.'s Human Rights Commission: cowboys clinging to the 18th century?

## THE POLITICS OF

U.S. has unleashed an unending stream of vitriol and expended enormous political and financial capital. Leading the latest U.S. attack was Armando Valladares, a former Batista policeman who does not speak English.

In response to this attack, the Cuban ambassador released what he claimed was a leaked State Department communique from Secretary of State James Baker to U.S. ambassadors around the world. In it Baker admitted that "our action in Panama may complicate achievement of our UNHRC goals—[but] Cuba should not be allowed to get off the hook." The main focus of the seven-party strategy detailed in the confidential report was "a high-level lobbying campaign tailored to individual countries" in which they were reminded of how much aid they might, or might not, receive from the U.S.

Despite this intense pressure, Cuba avoided sanction in the current session. But, in what the U.S. touted as a victory, the Caribbean nation was added to next year's agenda for possible action. When the close vote was announced, the U.S. delegation, in a display of tasteless and disproportionate jubilation, jumped up and down slapping each other on the back like good ol' boys after a touchdown.

The defection of several East European states—particular targets of U.S. arm-twist-

ing—from the Soviet voting bloc proved to be a key factor in the U.S. victory. Bulgaria and Hungary voted with the U.S., while Czechoslovakia and Poland (which as observers cannot vote) co-sponsored the U.S. anti-Cuban resolution.

Off the record, many delegates complain about the heavy-handed application of carrot and stick by the U.S. and quietly applaud Cuba's vocal and intransigent opposition to the Goliath to the north. They see the Cuba vote as a pyrrhic victory.

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Perhaps the most graphic evidence of increasing U.S. impotence and isolation lies in its inability to shape the overall goals and direction of the commission itself. Breaking consensus, the U.S. registered a petulant vote of "non-participation" on a U.N. definition of fundamental human rights affirming that social and economic rights must be placed on an equal footing with civil and political rights. The U.S. also rejected the concept of granting rights to states rather than only to individuals.

The French and American revolutions established the primacy of political and civil rights such as freedom of speech, assembly and property. Implementation of these liberal ideals, now called first-generation rights, was historically linked to capitalist development. They were seen as synonymous with democracy, and any country that failed to meet Western standards and values was condemned as backward and/or despotic.

For decades, the Communist bloc downplayed, postponed and scorned first-generation rights. Instead, Soviet-style socialism placed primacy on economic and social rights: housing, education, medical care and employment. This bloc, in turn, condemned as exploitative those countries that failed to implement this second generation of rights.



Both superpowers viewed attempts to institute a political system that incorporated the two generations of rights as threats to themselves. In Hungary and Guatemala in the '50s, in Vietnam and Czechoslovakia in the '60s, in Chile in the '70s and in Grenada and Nicaragua in the '80s, that "threat of a good example" was crushed and the offending experiments militarily or economically destroyed.

In the past decade a potentially revolutionary and widespread international consensus has formed around international standards for human rights. At least on a theoretical level, all countries of the world—except the U.S.—acknowledge that the two generations of rights are inextricably interdependent. Increasingly, popular movements and governments are demanding that civil/political and social/economic rights be considered as a seamless web—both sets must be implemented before either can be fully enjoyed. Simply put, the right to vote is of little value to the person dying of hunger. Conversely, even with a full stomach, quality of life without liberal freedoms is seriously diminished.

**Out of step:** The theoretical groundwork for this consensus was laid down by the UNHRC shortly after its formation in the wake of World War II, when the U.N. drafted and codified internationally accepted standards and covenants. Since that time, the U.N. definition of fundamental human rights has been expanding. The U.S., which is one of the few nations not to have signed the covenant, has remained rigidly rooted to a concept of rights that calcified in the 18th century.

The U.S. position, as articulated by Ambassador Morris Abram, reflects that stagnation. Civil and political rights, he told the commission, must precede all others because, by facilitating free enterprise and individual initiative, they promote the creation of wealth. After a country accumulates wealth, other rights will naturally follow.

"It doesn't cost a penny" to implement civil and political rights, said Abram. Even the poorest countries can afford them. On the other hand, "economic rights require time, resources and enough wealth to get the job done."

Many other countries disagree, citing not only the cost of running an equitable judicial and electoral system but of educating their people to enable them to take advantage of their rights. They also point out the most obvious flaw: in the U.S.—which has had the luxury of time, wealth and resources—economic and social rights have not trickled down to large segments of the population.

The U.S. shrugs off such criticism and appears to revel in its cowboy image. "We stand in splendid isolation," said one member of the U.S. delegation in private, "because we are the only country with balls."

Be that as it may, the U.S. is clearly out of step with the widespread insistence on a synthesis of first- and second-generation rights. Partly because of this ideological recalcitrance, the U.S. is in danger of misinterpreting recent trends in Eastern Europe.

Many at the U.N. commission see the liberalization of Eastern Europe and the USSR as a manifestation of an expanded concept of fundamental human rights. They believe recent dramatic changes there are part of a process to join democracy with socialism. While clearly affecting short-term stability, democratization is not seen by A.L. Adamishin, deputy foreign minister of the USSR, as an inherent threat to socialist principles. "We are still socialist, and we will remain socialist," he told *In These Times*. "Don't ever forget that."

The U.S., however, continues to see the political system of democracy and the economic system of socialism as mutually exclusive. It therefore interprets the changes in the Soviet bloc as simply a move toward capitalism and a U.S. victory in the Cold War.

Just as the U.S. narrowly interprets the Nicaraguan revolution and FMLN insurgency as examples of the expansion of the Communist empire, it now views the dissolution of the Soviet empire in Eastern Europe simply as an expansion of world capitalism.

**The third generation:** While the U.S. clings to the 18th century and the rest of the world struggles to create an amalgam of first- and second-generation rights, a new challenge is being mounted from the bottom up. Many indigenous peoples and environmental movements are demanding a third generation of human rights. The value of first- and second-generation rights is seriously diminished, they argue, without a clean, healthy and unpolluted world in which to enjoy them.

Including ecological concerns within the context of fundamental human rights places much of the responsibility for the definition of standards and regulations squarely on



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government. The implications are radical and wide-reaching. The U.N. has begun to assess the dimensions of the problem to set goals.

This spring a broad coalition of UNHRC members introduced a resolution that, while recommending no action, encouraged an expanding role for the world body in defining the relationship among technology, development and the ecological integrity of the planet. UNHRC is "aware," stated the resolution, "that the preservation of life-sustaining ecosystems under conditions of rapid scientific and technological development is of vital importance for the protection of the human species and the promotion of human rights." The resolution was accepted without a vote, despite irritable quibbling from the U.S. and Japan over wording.

The current status of ecological rights is similar to that of second-generation rights more than 40 years ago, when they first entered the international frame of debate. The U.N. has taken the first step in acknowledging a common global problem but is distressingly far from defining objectives, implementing standards or regulating compliance.

Serious North South splits exist over how and if this newly defined generation of rights can be implemented. The double standard and hypocrisy of the developed world on the subject of the environment rankles the South. While domestic popular pressures force the North to clean up its own act, it exports obsolete and dangerous technologies and toxic wastes to the South. Although the North continues to consume the vast

bulk of the world's resources for the comfort of its own citizens, it criticizes the destruction of rain forests abroad. At the same time as the dependent South is being strangled and blackmailed by the North through unstable, artificially low commodity prices and the debt burden, the North is seeking to impose environmental and conservation standards it ignored during its own reckless development.

Not surprisingly, much of the South sees environmentalism as a luxury it can't afford. By pushing up costs and protecting valuable resources, Northern policies, cynically disguised as environmental concern, will further retard the South's rate of development and exacerbate its disadvantages. Nonetheless, there is a growing movement within the South to place third-generation environmental rights within the seamless web.

**Politicization of the UNHRC:** As the accepted definition of fundamental human rights expands, the extent and seriousness of violations of even the most basic rights are not diminishing.

One report after another is read into the record at the commission while delegates scan newspapers, fix deals in the back of the room or discuss weekend ski plans. Underlings are assigned to keep track of the proceedings and monitor areas of particular concern. In general, only when the U.S., the USSR or Amnesty International address the body is there sufficient silence in the room to hear the speeches without using the ear-phone system built into each seat.

The majority of the speeches by governments and NGOs document the growing number of disappearances, genocidal practices against ethnic, religious and national groups and the increasing sophistication of torture and control techniques, as well as the use of mercenaries and the growing disparity in the distribution of wealth between the North and South. Resolutions dealing with this trend are often drawn and passed less on a case's gravity than on the relative political clout of the violator, the accuser and their allies. China, for example, despite the Tiananmen Square massacre, escaped official sanction from the commission, as did Iraq, Sri Lanka, Cambodia and the Philippines—all of which had particularly dismal records last year.

Cuba, the U.S.' *bête noire*, was placed on next year's agenda to be considered as a consistent human-rights offender. This despite the fact that its record is relatively bloodless and 75 percent of its reported violations involved lack of freedom of travel.

Another politicizing factor within the commission is the growing strength of geographical blocs. These alliances function to limit condemnation of, or investigation into, human-rights abuses in their own regions. The African bloc, for example, forms a united front to condemn South Africa but also functions to lock out any formal criticism of even the most flagrant abuses of any other African state.

The NGOs find these regional blocs to be a further impediment to the already-difficult task of targeting egregious violators. The U.S., which rarely finds itself in political bed with the NGO community, is also distressed over the formation of the Southern regional voting blocs—although for different reasons. This phenomenon threatens Northern strengths and impedes the U.S.' ability to single out and pressure any individual bloc member. The Western Europeans are concerned about decreased power of both their own bloc and

the NGOs, who can, because of their unofficial status, articulate positions that governments find too politically sensitive.

"It is ironic," said a representative from a Guatemalan human-rights organization, "that we must look to the North for leadership in the condemnation of human-rights violations, since their colonialism created the current dynamic and their economic and military policies help perpetuate the abuses."

**The blood of Guatemala:** The Guatemalan opposition is in a position to know how bloc clout functions. In one of the fiercest commission battles this spring, the European bloc, strongly led by Sweden, tried to introduce a resolution to change Guatemala from its four-year status as recipient of advisory services to that of most serious offender. It would then be assigned a special rapporteur who would investigate and report back in detail to the commission at the next session.

Guatemalan opposition and human-rights organizations sent representatives, mostly from the relative safety of exile, to present evidence and lobby for a rapporteur. They believed that this appointment not only would document the steady deterioration of conditions but also was one of the only mechanisms that could promote accountability and curb future abuses.

The official report to the commission by the director of the past year's advisory services supported the bulk of the Guatemalan opposition's contentions. It noted an increasing pattern of human-rights abuses, including torture, summary executions and disappearances, and concluded that the Guatemalan government "lives in fear, a prisoner of forces it cannot control."

Several days before the reclassification resolution was to be introduced, a Guatemalan national who was on night guard duty at the Swedish Embassy in Guatemala was brutally stabbed, shot and mutilated. The Swedes interpreted the assassination as an attempt to influence the vote and punish them for their leadership in calling for condemnation of Guatemalan government and military terror. One Swedish diplomat confided that several Swedish diplomats had received threats from death squads linked to the Guatemalan military.

The official Guatemalan delegation, which included several high-ranking military personnel, refused to comment on these incidents and lobbied hard against a reclassification. Guatemala, they argued, is "a fragile democracy," and as such deserves patience and temporary impunity. Public censure would only strengthen the "anti-democratic forces" that challenge the power and legitimacy of the elected government.

Thus, in one broad stroke, all opposition groups—from mothers against disappearances to armed insurgencies—are transformed into enemies of democracy incarnate. Unnoted is the trend in Central and South America of using demonstration elections conducted under conditions of systemic intimidation, frequent disappearances, violent repression of the popular sector and threat of assassination of candidates and their allies to shield and validate repression.

Although they privately decried the extent of Guatemalan abuses and felt that its excesses brought unwanted attention to the human-rights situation of the region as a whole, the Latin American bloc—except Cuba and Nicaragua—rallied behind Guatemala. Many bloc nations were vulnerable to similar charges. By protecting

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# EDITORIAL

IN THESE TIMES

"...with liberty and justice for all"

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(ISSN 0160-5992)

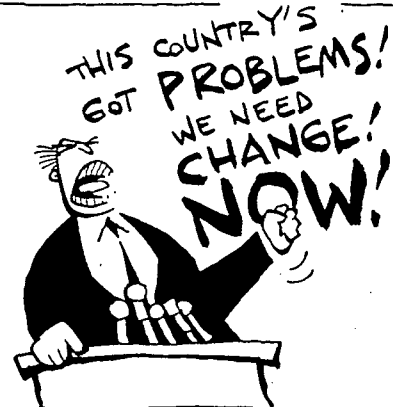
Published 41 times a year: weekly except the first week of January, first week of March, last week of November, last week of December; bi-weekly in June through the first week in September by Institute for Public Affairs, 2040 N. Milwaukee Ave., Chicago, IL 60647, (312) 772-0100

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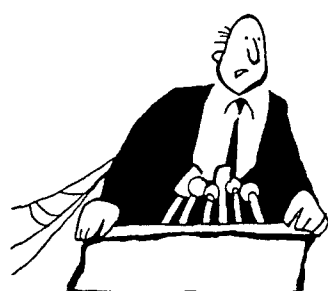
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This issue (Vol. 14, No. 22) published April 25, 1990, for newsstand sales April 25-May 1, 1990.

HIS 1ST CONGRESSIONAL TERM

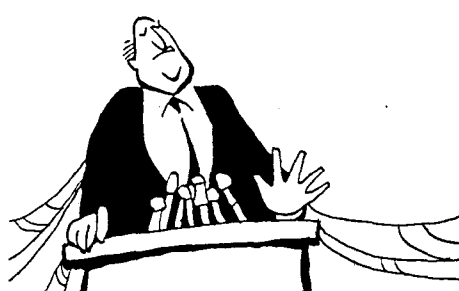


2ND TERM



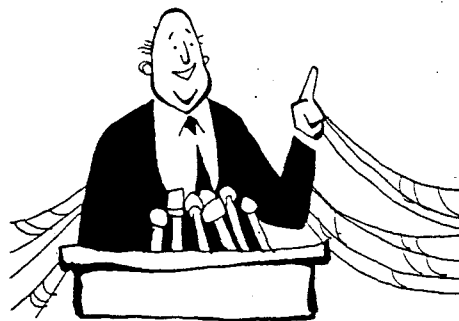
THESE PROBLEMS ARE MORE COMPLEX THAN YOU MIGHT THINK.

3RD TERM



WE MUSN'T MOVE TOO QUICKLY. ...THE LOBBYISTS NEED TIME TO REACT.

4TH TERM



I NEED A RAISE.

5TH TERM



THINGS REALLY AREN'T SO BAD THE WAY THEY ARE.

6TH TERM



WE'VE GOT TO PROTECT THE STATUS QUO. ...NAMELY ME.

## Politicians internalize their corruption

Our politics has always had its share of corruption. In 1908, for example, when the muckraking journalist Lincoln Steffens went to Boston to write about its government, he found its corruption "so like other cities" that he had difficulty writing about it. Boston confirmed what Steffens had come to suspect: in our society, "business and politics must be one; it was natural, inevitable, and—possibly—right that business should—by bribery, corruption or somehow—get and be the government."

After seeing Boston, Steffens finally tired of exposing the bribing of public officials in the hope of ending corruption. Instead, he hoped his muckraking would simply help end all the hypocrisy. He wanted to get respectable businessmen to admit that corruption of government was their way of life. His aim was to "make it impossible for [business leaders] to be crooks and not know it" and thus to force them to examine the contradiction in their lives. Only then, he believed, could Americans confront the destruction of democracy and its replacement with the plutocracy of corporate America.

Almost no one, of course, took Steffens' advice. Instead, the more obvious ways of corrupting public life, the glaring contradictions between the ideology of democracy and the practice of American politics, were gradually phased out—even eventually in Chicago—only to be replaced by legal ways of buying public officials and a public ideology that conflates the interests of private business with those of the public.

Two bills now before Congress illustrate how thoroughly private interests have come to supplant public interests and the way in which our politicians, as well as the media, identify ideologically with those who finance their campaigns rather than with those they nominally represent.

First, the Clean Air Act has been converted from a bill to protect the environment and the health of the American people into a bill to protect corporate polluters who contribute heavily to friendly members of Congress (see pages 11 and 16). A recent headline in the *Chicago Tribune* inadvertently underlined this point: "In crafting the clean air bill, senators take care of their own."

The *Tribune* article went on to explain: "When the chairman of the Senate environment committee [Quentin Burdick (D-ND)] put the finishing touches on the clean air bill, he took extra care in dealing with the five worst-polluting power plants in his state: he exempted them from the bill." But this statement of fact was then made to conform to the newspaper's ideology as it related that several other senators were also given "fixes" for their "states" rather than their corporate sponsors. Similarly, an aide to Senate Republican leader Bob Dole (R-KS), in defending the bill's exemption of most toxic chemicals used by farmers, claimed that the senator was "going to do everything [he] can for clean air but at the same time watch out for the interests of [his] state." And so it went. Steel corporations, utilities, incinerators and others all benefited from a process described benignly by the *Tribune* as "Clean air is good for the country but home-state interests come first."

In fact, however, it was the financial backers of our senators, not the home states, that came first in what Richard Ayres of the National Clean Air Coalition called a "special-interest feeding frenzy." In North Dakota, where the five polluting power plants were exempted, home-state interests came last, just as in Florida it was its citizens whose health came last so that incinerators could be spared the expense of cleaning the air.

The second bill is of a different nature—a package of changes in the civil-rights law made necessary by a series of Supreme Court decisions undermining congressional intent. In one ruling, the Court held that the 1866 civil-rights law governing the right to make contracts did not create a right to be free from on-the-job harassment. Four other rulings limited the scope of the two key laws barring employment discrimination: the 1866 law and Title VII of the 1964 Civil Rights Act.

Trade groups oppose this bill because a strong civil-rights law would lead to expensive lawsuits and damage awards for discrimination. They also want to avoid discrimination suits that they see as a challenge to management's prerogatives in hiring and firing. And, of course, President Bush has taken their side and threatens to veto the bill, while Sen. Orrin Hatch (R-UT) argues that the country doesn't need "to overhaul the legal system to insure equality."

What this means, however, is that insuring equality of employees' rights is clearly less important to our public servants than protecting employers' power. Or, as in the case of the Clean Air Act, the needs of corporate enterprise come first and those of the people take the hindmost.