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## THE US, HUMAN RIGHTS AND DEMOCRACY IN LATIN AMERICA

by

Tom Farer

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Since, at least in popular discourse and the discourse of journalists and political elites, the terms “democracy” and “human rights” are not used consistently or in ways that allow easy identification of their absence, I thought it would be useful to begin with a very brief definitional note for each of them. At least it should then be clear what I mean when I use the terms.

## Democracy

Probably still the most widely acknowledged definition of democracy is the one enunciated by Joseph Schumpeter in his classic *Capitalism, Socialism, and Democracy*.<sup>1</sup> Democracy, he wrote, is that institutional arrangement in which the power to decide is determined by a competition for the people’s votes.<sup>2</sup> This is democracy as the political analogue of a liberal economic system: As producers compete for consumer preference manifested in purchases, politicians compete for consumer preference manifested in votes. In order to satisfy the liberal individualist values that animate and justify it, the competition must be conducted fairly. Students and practitioners of anti-trust law will attest that the concept of “fair competition” is far from easy to define to everyone’s satisfaction, much less to apply in complex societies where resources and skills are very unevenly distributed. Initial success achieved through luck or skill or undetected (or inadequately sanctioned) predation translates into market power which thereafter tilts the field of play even when its potential is not fully employed.

On the demand side, election monitors can determine whether present power holders, by inhibiting access to the voting booth or miscounting the votes, have distorted the expression of preference. On the supply side, they can identify gross barriers to entry or changes in market shares. But they have no mandate to rule elections unfair either on the grounds of grossly false advertising by the winners concerning their own resumes and programs or those of their opponents or on the grounds that the winners exploited previously acquired advantages in wealth, celebrity, and the prestige arising from the occupation of public and private offices.

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<sup>1</sup> Joseph A. Schumpeter, *Capitalism, Socialism, and Democracy* (2<sup>nd</sup> ed. 1947)

<sup>2</sup> *Id.* At 269

They have no mandate to take those considerations into account because to do so would challenge the legitimacy of electoral systems in many of the *established* democracies.

This is only the first, and arguably the lesser, difficulty in construing and applying Schumpeter's dictum. The second one concerns not the character but the result of the competition. It is a competition for the power to decide *what?* All issues that bear on the electorate's concerns or only those which are properly subject to political resolution, that is resolution by the public authorities? And who but the electorate is entitled to decide on the allocation of issues between the public and private realm? Or does democracy by its nature presume a sphere of life beyond the reach of official power even if some of the activities which occur there have broad social consequences<sup>3</sup>

In capitalist societies, the decisions of investors and corporate managers generally do more to shape quotidian life for most of the electorate than do the decisions of elected officials (and the persons who work under their direction)<sup>4</sup>. And in many capitalist democracies, constitutional provisions shielding property from less than fully compensated takings preclude public action to alter the distribution of capital. Moreover, certain key public institutions, particularly the central banks, are in varying degrees and ways insulated from direct political control<sup>5</sup>. Nevertheless, because constitutions can be changed, albeit by weighted majorities, and the private economy can at least in theory be comprehensively regulated or its impacts partially offset, most of us find capitalist arrangements comfortably compatible with, in fact a necessary condition for, Schumpeterian democracy. What neither that nor any other conception of democracy can accommodate is a system in which the symbolic power of elected officials is blunted by the raw power of people with guns, a system like the one traditionally found in many

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<sup>3</sup> Democratic polities differ significantly in their view of the proper reach of government action including regulation and intervention in nominally voluntary transactions. The social capitalist ideology of a democratic state like Germany legitimates considerably more public action on behalf of community interests than the *laissez faire* capitalist ideology of the United States. On Germany, *see, e.g.,* Donald P. Kommers, *German Constitutionalism: A Prolegomenon*, 40 Emory L.J. 837 (1991).

<sup>4</sup> The exceptions to this rule in normal periods are people rich enough to insulate their life style from the consequences of private decision-making in the economic sphere, and the very poor who depend for their survival on public transfers of goods and services. Perhaps we should add those professional criminals who organize their lives around coerced transfers.

<sup>5</sup> On the operations of the Federal Reserve System, i.e., the central bank of the United States, *see* William Greider, *Secrets of the Temple: How the Federal Reserve Runs the Country* (1987).

Latin American countries where the military institution, acting for itself and allied civilian elites, defines the limits of decision by elected officials.

With almost all the countries of Latin America enjoying elected governments, it is easy to forget that, as recently as the early 1980s, such governments appeared to be an endangered species. Generals reigned not only in such a traditional purlieu of authoritarian rule as Guatemala but also in Chile and Uruguay, which had for decades been Latin paragons of elected regimes, and in Argentina and Brazil, which had long oscillated between elected civilian and putschist governments. Where men in uniform did not themselves rule, as in Duvalier's Haiti, they often served as the guarantors of thugs in suits.

It was not simply the ubiquity of authoritarian government that flattened the hopes of democrats throughout the hemisphere. Beyond ubiquity, there was the appearance of longevity. Previously during the twentieth century military interventions, particularly in the hemisphere's more economically developed countries, had been heralded as brief interruptions in constitutional government induced by an emergency beyond the coping capacity of elected officials. The intervenors of the 1960s and 1970s adopted a very different stance. They had come, they seemed to say, not to rescue but to suspend indefinitely both elected regimes and the frequent companions of such regimes, freedom of speech and freedom of association. Uninhibited by the dysfunctional constraints of electoral and constitutional government, they would proceed methodically to heal a feverish national society by cauterizing its leftist infections and enclosing it in a new political economy. This was, the officers implied, a project of indefinite duration. Organized, disciplined, and determined, supported by their own arms and key segments of the middle and upper classes, they would not be hurried. They had come to stay.

Social scientists labeled this phenomenon "bureaucratic, authoritarianism." They sought through this rubric to capture the mass and heft, the novelty, and the apparent durability of this new way of governing Latin states. For just as it was not the transient interruption of constitutional government familiar to some Latin polities, neither was it a dressed-up version of

the parasitic military dictatorships without ideas (government as looting) that had been an equally familiar feature of the Latin political scene since independence. No, this was government by a military institution staffed by a comparatively well-educated generation of officers and imbued with the economic ideas of Milton Friedman and, in many cases—ironically—with the social ideas of the antimodernist popes. These military regimes were backed by important elements of the middle and upper classes, which had lost whatever faith they had ever had in other political and economic nostrums. Certain social scientist contributed unwillingly to this impression of a stolid, faceless, irresistible force occupying Latin America by discovering its source in a kind of iron law of development for capitalist states on the periphery of the global economy.

Rarely have scholars so enjoyed a demonstration of their fallibility: Their predicted long night of bureaucratic military rule has turned out to be simply an eclipse. Civilian governments, chosen through sometimes flawed but not fraudulent electoral processes, moved in less than two decades from anomaly to norm. Among the fifteen countries that had been under authoritarian rule in 1978, the apex of the bureaucratic authoritarian phenomenon, by 1992, eleven had experienced their second consecutive presidential election and five their third or fourth; moreover approximately three-fourths of these second, third, or fourth elections were won by opposition parties.

That is the good news. The bad news is that, as Larry Diamond and other authorities note, while the citizens of almost every Latin country now enjoy the experience of rule by elected governments, the inhabitants of half of those countries concomitantly enjoy the experience of living in a democracy, if only by democracy we mean largely affirmative answers to the following questions:

Are elections truly free, fair, and competitive? Does the opposition have a realistic chance of increasing its support and eventually gaining power? Is power effectively exercised by elected officials and their appointees, or do democratically unaccountable officials—the military, local bosses, and landed elites—constrain, veto, and undermine the constitutional flows of power

and the rule of law? Do citizens have the ability to elect their own leaders at the local and regional level? Are basic freedoms of expression, organization, assembly, movement, conscience, and due process well respected in practice? Do citizens have the freedom to criticize, oppose, and mobilize around their interests and beliefs without fear of punishment, either by the state or powerful private interests?

## **Human Rights**

Human rights is not a synonym for idealism. Idealists can be found at every point on the political spectrum; Hitler and Mao no less than Gandhi and Mandela have dreamed impossible dreams. The modern human rights texts like the Universal Declaration—which enumerate economic and social as well as political and personal rights—incorporate the particular kind of idealism I will call “transnational welfare-liberalism” with its commitment to the widest range of unfettered individual choice consistent with the survival of an equivalent range of choice for everyone else. It differs from classic liberalism by recognizing that the goal of optimal free choice requires collective action through the institutions of the state to restrain private power and to limit economic deprivation. It differs from Marxism by implicitly rejecting the proposition that freedom is an absolute state to be realized only under particular economic conditions. Freedom is rather the always approximate result of a ceaseless process in which rights and obligations, community activity and community tolerance, function in a state of dynamic tension by means of which the process is maintained.

Commitment to this ideal does not allow one to think only in national terms. On the contrary, its incorporation into legal texts purporting to create for all nation-states mutually binding obligations and corresponding rights to assess each other’s compliance and the subsequent recognition of an individual’s right to petition the international community for redress of grievances against his or her government constitute the most severe normative challenge to the state as the primary focus of human loyalty since secular authorities defeated the political claims of the Roman Catholic Church.

Hence, although for prudential reasons they may render it rhetorical support, persons shaped by nature or nurture to treat reason d'état as the highest value are not communicants of the human rights movement. Nor are libertarian conservatives (worshipping as they do at the altar of Social Darwinism) or those, whether on the left or on the right, who reject any categorical restraint on the means available to achieve their ends, including the end of a more perfect human freedom. Try as they will, then, and they do try, persons drawn to human rights as a collective enterprise cannot avoid being sectarian, although the sect is mercifully broad and unusually tolerant. And in the main they are also adherents of what in United States political discourse is called internationalism. As usefully defined by Thomas Hughes, president of the Carnegie Endowment, internationalism is a general foreign policy orientation characterized by a presumption in favour of international cooperation, consultation, and conciliation; international law, institutions, and treaties; international negotiation, norms, and dispute settlement; economic interdependence, growth, and freer trade; international development, aid, and technical assistance; diligence in seeking arms control; and restraint in the use of force. Rightly or wrongly, most participants in the movement, including myself, see an intimate relationship between internationalist policies and the promotion of human rights.

## **Foreign Policy, Democracy and Human Rights:**

### ***A. The Cold War End Game***

Ronald Reagan campaigned as the arch-enemy of internationalism and opened his administration with demonstrations of will to act the part. The man he selected as his first secretary of state, Alexander Haig, seized the earliest possible moment to announce that human rights would be replaced as a United States foreign policy goal by the suppression of terrorism.<sup>6</sup> The latter being a subset of the former in normal linguistic usage, one might have put this down to the man's congenital peculiarities of speech, had he and like-minded members of the administration, such as Ambassador Jeane Kirkpatrick, not clarified their intentions by renewing

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<sup>6</sup> See Tamar Jacoby, "Reagan's turnaround on human rights." *Foreign Affairs* 64 (summer 1986), 1069.

amiable relations with those thuggish regimes of the right which Jimmy Carter had read out of the free world alliance. One consequence of this policy reversal in the executive branch and the concurrent waffling of a divided Congress was an enhanced flow of private resources and public attention to human rights organizations as the only surviving source of human rights initiatives. It gave them, as well, a single powerful focus: exposing the delinquencies of administration clients and the administration's colluding acts of commission and omission.

But the phase of open hostility to human rights was soon gone,<sup>7</sup> along with General Haig, and in its place a veritable crusade for human rights ascended to the administration's rhetorical peaks. Under its benign rubric, however, the administration continued to ignore—when it did not frontally assault—the tenants of internationalism, above all the importance of multilateral institutions and the presumption in favour of preserving restraints on the use of force and encouraging the peaceful settlement of disputes, whether through negotiation or recourse to arbitration and judicial settlement. As far as specific human rights issues were concerned, the crusade did not prevent—indeed it was held to require—re-incorporation of countries like Guatemala and Chile into the free world alliance, tolerance of the mass butchery which constituted El Salvador's counter-insurgency policy in the early 1980s, and steady escalation of the Nicaraguan insurgency. "Liberal beliefs and practices lie at the core of the Reagan Administration's orientation toward politics," Ambassador Kirkpatrick intoned around the same time she was gratuitously associating herself and her country with Augusto Pinochet.<sup>8</sup>

Although the radical discrepancy (from the perspective of internationalists) between practice and rhetoric shrank during Ronald Reagan's second term, the lesson administered during the Manichaeian phase of his government survives among leaders of the human rights movement. Now they more fully appreciate the perverse turns a human rights crusade can take in a country where people with repressed authoritarian values and chauvinist passions, who elsewhere find a distinctive idiom for their expression, must swaddle them in the anodyne language of universal democratic liberalism.

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<sup>7</sup> Jacoby's article (*ibid*) is a brief but lucid account of the administration's policy reversal—its roots and its consequences.

<sup>8</sup> *The Reagan Phenomenon and Other Speeches on Foreign Policy* (Washington: American Enterprise Institute 1983), 7.

## ***B. From Cold War's End to 9/11***

During the twelve years between the destruction of the Berlin Wall and the destruction of the World Trade Center on September 11, 2001, the foreign policy of the George H.W. Bush and Bill Clinton administrations lacked an overriding theme, possibly because it lacked an organizing Manichean focal point. Themes were indeed debated by politicians and commentators, usually in dyadic terms: unilateralism vs. multilateralism, humanitarian intervention vs. national self-restraint, realism vs. idealism, coercive vs. persuasive diplomacy, and the West vs. the Rest. There were also values like human rights and democracy airily invoked but ambiguously and controversially expressed in the quotidian details of policy.

September 11 and the subsequent war on terrorism provided a new, thoroughly Manichaeian policy template with implications for domestic as well as foreign affairs. But within that template the existing dyads and values continued to color debate. Should we organize coalitions of the willing or act through the United Nations? Should we ethically sanitize any government that aspires to join the war on our side or seek ideological coherence among our allies? Should we succor failed and failing states or simply quarantine them and deter export of their pathologies? And what restraints should human rights impose on our means? In short, September 11 did not relieve the United States from facing old issues. The context had arguably changed; the traditional divisions within the community of foreign policy analysts and practitioners had not.

### ***The Post-Cold War Debate over Grand Strategy***

As soon as the Cold War became history, analysts, practitioners and politicians began debating four grand strategies. One, often labeled “neo-isolationism,” called for withdrawal from overseas military commitments and a corresponding reduction in defense expenditures. Its advocates were a curiously mixed crew. There were the libertarians, who championed a minimalist foreign policy that would in turn help make minimalist government possible, and

were confident that two oceans, nuclear deterrence, weak neighbors, non-existent competitors for global power and regional balances of power outside the Western Hemisphere made minimalism safe, indeed safer to the extent it discouraged U.S. involvement in other peoples' quarrels. Libertarians are not provincial in their sympathies; they believe that free markets and the U.S. example make the world a better place.

Starting with similar security premises but rather more provincial values, basically the traditional conservative conviction that duties are owed only to members of one's own national tribe, the shrinking band of paleo-conservatives, led by the perpetual presidential candidate Patrick Buchanan, arrived at roughly the same general policy preference. Despite its contrastingly cosmopolitan view of human obligation and sour view of American society, so did the old left (epitomized by Noam Chomsky), driven by the conviction that the structure of social power assures that the U.S. will generally act ungenerously. Thus, it joined some odd bedfellows in urging minimal engagement with the rest of the world albeit for the sake of the world.

Selective engagement, the second grand strategy, also had its adherents. While they too were generally sanguine about the U.S.'s long-term security position, they regarded regional power balancing as sufficiently problematic to require monitoring and occasional intervention either to restore or to reinforce local power balances in regions or sub-regions of real importance to the United States. One advocate, the European commentator Josef Joffe, called explicitly for a foreign policy of "offshore balancing."

Since the importance of different regions and sub-regions is likely to vary over time and since reasonable people can and will differ in their perceptions of the need for U.S. intervention to prevent the emergence of regional hegemony, selective engagement invariably slides toward the two other competitors for doctrinal dominance, unilateral and multilateral global engagement. Adherents of these latter two had much in common. They believed that developments worldwide can have a serious impact on the security and welfare of the American people and that a relatively benign global political, economic, and military environment requires

unremitting involvement. They differed, however, in at least two respects: in the way they prioritized threats and, more importantly, in basic ideas about remedies.

Global unilateralists, like selective engagers, emphasized classical political-military threats, precisely those that are most amenable to mitigation by military power, the resource that the United States possesses in singular abundance. Global multilateralists while they would not eliminate would at least flatten the hierarchy, thus reducing the steep distinction between threats that often yield to coercive diplomacy and threats like pandemics, global warming, destruction of the seas' living resources and the rain forests, and volatility in the global economy that are not amenable to military remediation. Nor, of course, will they yield to any other form of unilateral action.

There is something less here than a simple policy polarity. Specifying a pure example of either the unilateralist or multilateralist is not easy. There is a continuum of attitudes and a tendency for policy-makers to position themselves rhetorically near what they believe the U.S. electorate will perceive as the center. For example, it is virtually a cliché to describe the Bush administration as “unilateralist.” Yet when pressed on this point, senior officials reject the designation. They invoke their efforts to construct different coalitions for different tasks. In the War in Iraq they have been at pains to publicize numbers of cooperating states (including those preferring to remain anonymous) many magnitudes larger than those directly engaged in the fighting. So, they argue, they cannot be categorized as unilateralists; they simply are not in favor of multilateralism for the sake of multilateralism, as one senior official put it in a private meeting or, in the words of another still higher official speaking semi-privately, they are not “lowest-common-denominator” multilateralists.

By comparison, the Clinton administration was widely seen as distinctly multilateralist. The president struggled to secure appropriations from Congress to pay UN arrears. He signed global environmental agreements and the treaty establishing an International Criminal Court (ICC). And in the case of Somalia, he antagonized conservatives by placing U.S. troops at least notionally under the direct authority of the UN Secretary-General. Yet following the lethal

firefight in the streets of Mogadishu, Clinton authorized UN Ambassador Madeleine Albright to deliver a lecture at the National War College declaring readiness to use force without reference to or even in defiance of the world organization's Charter. In an address that could as easily have been written by her Reaganite predecessor, Jeane Kirkpatrick, the future secretary of state remarked that the United States would approach international conflicts on "a case by case basis, relying on diplomacy whenever possible, on force when absolutely necessary."

Conservatives did not apparently conclude that she and the President had experienced a Pauline conversion. What any observer could see in her words was rhetorical deference to a strongly rooted force in American political culture, what the idiosyncratic historian Walter Russell Mead calls Jacksonianism, "a deeply embedded, widely spread populist and popular culture of honor, independence, courage, and military pride." [Mead at 88] Based principally for almost a Century after the Civil War in the Democratic Party, this constituency began abandoning its traditional political home when, during Harry Truman's presidency, the Party had lost its tolerance of racial autocracy in the former Confederate States. Populist migration toward the once hated Republicans became a stampede when, in the name of local rights against federal power, Richard Nixon took control and made the Party of Lincoln relatively comfortable for bigots although he did not attempt to roll back the gains of black Americans. In a Republican Party increasingly tilting to the culture and society of the South, the Southwest and the Rocky Mountains, Faulkner's Mississippi Snopes met their Orange County counterparts and found common cause.

Nixon, not unlike Lyndon Johnson, presided over the transition from an eastern-based elite to southern and western populism in league, however unconsciously, with corporate power. But, whatever the cultural emanations and rhetoric, his generally centrist domestic policies and on-the-whole cautious foreign ones were much more in line with those of northeast Republicanism than the preferences of the right-wing populist forces who were assuming control of the party's base. They had signaled their power in 1964 with Barry Goldwater. Nixon could express their resentments in his self and his language, but not in his policies. For the complete package, or at least what seemed to be the complete package, they had to await Ronald Reagan

with his “welfare queens” and “evil empires” and calls for victory in the Cold War in place of the Nixon-Ford-Kissinger experiments with détente. George H. W. Bush was a compromise, the Brahmin gone but not bred South. The grass roots would have to wait for the son who, in migrating with his family to the new heartland of Lincoln’s party, had found God and a local culture consistent with what appears to be his personal one.

### ***Right-Wing Populism and U.S. Foreign Policy***

As competitive symbols, “multilateralism” and “unilateralism” connote more than disagreement about the instrumental value to the national interest of inter-governmental institutions and international law. They suggest the collision of identities and deep cultural attitudes about the use of force, the extent of individual and collective moral responsibilities, the limits of tolerance and the hierarchy of virtue, and faith versus reason. They stand on opposite sides of the abyss that separates fundamentalist from cosmopolitan Protestantism.

Populism is a movement that seeks to mobilize masses among the middle- and lower-middle income peoples. Left populism mobilizes largely on the basis of class resentments stemming from a material inequality. Right populism emphasizes cultural or racial resentments. However, the two can merge where a minority enjoys disproportionate affluence or where a segment of the upper class can be identified with the rebellious struggles of a traditionally despised minority. As the experience of European fascism suggests, right-wing populism normally becomes powerful only when its entrepreneurs can form a strategic alliance with portions of the upper classes, a scenario familiar to every student of Adolf Hitler’s rise to power.

We do not, however, need to look abroad. A coalition of the black and white poor at the turn of the 20<sup>th</sup> century would have overthrown the system of upper-class rule and working class poverty. If at that point federal power had been deployed to enforce the black population’s constitutional right to vote, such a coalition might have coalesced. Instead, political entrepreneurs in most states mobilized white voters in defense of racial hierarchy and the status quo.

Obviously the uses and character of right-wing populism in the second half of the 20<sup>th</sup> century are far more complex than they were in the South at the turn of that century. But it retains its inherent character in domestic politics as a political strategy to bond people of modest means with very rich people and corporate managers who, by virtue of possessing great economic power, have material interests that conflict with those of their lower class partners. There needs to be a cultural bond, an “other” or “others” against whom to relate. In an earlier era, African-Americans and Jews were prominent among the perceived “others.” The former still play that role to varying degrees in some parts of the country, although in others they have been largely, if not entirely phased out. The latter have been almost uniformly released from the realm of the “other” and admitted wholesale to the imagined community of true Americans. If “Jewish Bankers” no longer serve as “the other” in the negative pantheon of populism, who has replaced them?

The new “other” has less well-defined features. It is all those who don’t respect the national tradition of virile religiosity, who have pushed prayer from the public schools and replaced it with sex education, who sully the immaculate view of U.S. history, take notice of slums in the City on the Hill, would take from ordinary citizens their right to bear arms and to dispense Old Testament Justice in the form of capital punishment and who question the proposition that success is a function of virtue not luck.

The “other” is liberal, urbane, financially comfortable, cosmopolitan, secular and unpatriotic in the sense of being unappreciative of the splendid singularity of America, uneasy with the rituals of patriotism, ready to expend national treasure on defend the supposed human rights of obscure peoples in remote places, and eager to subject national sovereignty to rules made by and institutions run by other peoples, including enemies of the U.S. way of life. Coincidentally, he or she worries about inequality in income and wealth and does not believe that markets are self-policing or can produce all necessary public goods.

Like many caricatures, this clustering and generalizing of characteristics is not wholly unconnected to reality. People who worry about inequality and the environment, believe in the careful monitoring of private markets by public institutions, favor restricting matters of faith

largely to the private sphere, and find much to condemn in U.S. history tend also to be the people who favor multilateralism in the defense of national interests and human rights. And they are the people who tend to staff and support the principal human rights non-governmental organizations (NGOs) and to pressure the U.S. government to use statecraft in defense of human rights around the globe.

The majority resides at multiple points on a continuum between irreducible hostility to every restraint on U.S. power and theological support for the UN as well as the International Bill of Rights [The Universal Declaration and the two Covenants] Otherwise, the national Democratic Party would not have won an election in the last fifty years, or it would be entirely indistinguishable in its platform from the Republican. Since the 1970s, polling data has regularly provided evidence of a large majority sympathetic to U.S. participation in the UN and at least a mild multilateralist orientation. But public opinion is volatile. For months prior to the invasion of Iraq, a majority of Americans favored war only with UN approval. By the eve of the invasion, the majority endorsed invasion irrespective of a legitimizing resolution.

In a political system with multiple points for the insertion of influence, money is trumps and legislative power widely dispersed, impassioned minorities can often defeat a diffuse majority's mild policy preferences. To understand how the character of domestic politics can influence the outcome of policy conflicts within the foreign policy elite over multilateral versus unilateral engagement, one therefore needs to recognize the political importance of the minority that understands itself as the conservators of traditional values and the opposite of the cosmopolitan "other." It is naturally sympathetic to foreign policy arguments couched in Manichaeian terms, dismissive of the views of other countries, and favoring the use of coercive diplomacy. It is, however, important to recall that people forming the contemporary right-wing have not traditionally favored overseas adventures. Like the majority of Americans in the 1930s, they could not be aroused to support preventive action against Hitler or the Japanese until the attack on Pearl Harbor and Germany's ensuing declaration of war. Certainly in the past their instincts and general convictions would seem to have placed them in the paleo-conservative more than the global engagers' camp.

There is a second caveat when trying to assess the domestic political arena in which advocates of multilateral policies compete with unilateralists. Some of the convictions that resonate powerfully with the populist right also engage more cosmopolitan types. The “City on the Hill” is an image that precedes by two centuries the country’s founding and has never been restricted to provincial constituencies. Many Americans far removed from the Moral Majority also are receptive to the view that there are evil people who understand only the language of force and who mean to do us harm for crimes of which we are innocent or for acts which in our judgment are not crimes at all.

Certain enduring features of our history and society help to illuminate the struggle between elites over how the United States should engage globally. One is religiosity. Periodic surveys of the intensity of religious sentiment in the main industrial democracies reveal a continuum, with the U.S. almost alone at one end and Japan at the other with European states much closer to Japan. Intense monotheistic religious beliefs predispose adherents to see the world in stark Manichaeian terms. The Calvinist version of Christianity, the country’s dominant monotheism, which deeply insinuated itself into U.S. culture at the very outset of our national adventure, predisposes adherents to see success, national as well as personal, as a sign of divine will.

A second key background feature is the failure of the working and intellectual classes to bond ideologically. Christian Democracy with its natural cosmopolitanism and communitarianism, as well as its emphasis on responsibility of the successful for the poor of the community also failed to take root here. The language of reform has been liberalism with its emphasis on restraining power for the benefit of the striving meritorious individual.

A third background feature is the ideological supremacy of *laissez-faire* capitalism. The mental soil of the U.S. is far more receptive than European culture to a politics of either isolation or episodic self-assertion in foreign policy and acquisitive individualism in the domestic realm than it is to a cosmopolitan foreign policy and a domestic one that champions greater equality of results or special benefits for historically disadvantaged groups. In politics, therefore, liberal

cosmopolitans swim a bit against the tide, and their projects are in general limited by a need to use the dominant discourse to overcome cultural resistance.

This account of the cultural and ideological background of contemporary U.S. politics simplifies a more complex or ambiguous reality, certainly in comparison with Europe before World War II. Pre-war European conservatism, at least on the continent, was hierarchical in its view of the good society, qualified in its commitment to majority rule, and racially and ethnically intolerant. It valued faith and tradition over utilitarian reason and extolled the interests of the state in foreign policy, regarding war, therefore, as an inevitable instrument of statecraft and imperialism as the natural condition of the world. Whatever their differences, reformist liberals and social democrats were largely united in rejecting everything that conservatives affirmed. In the wake of World War II, the right cut loose from its ideological moorings and moved toward the center where it now encounters a left with whom it largely shares a rational, secular, cosmopolitan, and moderately communitarian outlook.

Since the defeat of the South in the Civil War, the division between left and right never has had the same clarity in the U.S. that marked pre-war Europe. Liberal individualism has been the principal normative idiom of the political leaders of both major parties. Each has evoked utilitarian instrumentalism to defend its favored domestic policies and has defended foreign policy with a mix of idealism and national self-interest. To be sure, the wealthy did in general resist virulently the effort to soften the rough edges of corporate capitalism and to provide a modest amount of income security for the white working class. But when, after twenty years of Democratic rule, the Republicans again captured the White House in 1952, the party made its peace with the regulatory and social security structures erected during the era of reform. And so on the eve of war in Vietnam, sociologist Daniel Bell pointed to the end of ideological conflict in the U.S. and the Western world more generally. What remained were technocratic differences of opinion over incremental adjustments in a consensus-based, moderately regulated capitalist economy.

But that view was a bit myopic. A convergence took place within the political, social, and economic elite and in presidential behavior, since presidents had to appeal to and at least appear to come from the broad centrist majority. But Bell saw fuzzily, if at all, the half-slumbering conservative minority and the sub-stratum of conservative feeling that had varying degrees of resonance in the wider electorate. This view ignored power sources that could be activated by contingent events and tectonic adjustments in social and economic conditions and then employed by ambitious political entrepreneurs in the name of defending authentic U.S. values against the “other.” Vietnam was the main event, a war not of destiny but of choice. The accelerating struggle for African-American civil rights had more the character of a tectonic adjustment to accelerating pressure in deep societal structures.

The coincidence of a sanguinary war of choice and a predestined struggle by a substantial minority to complete its emancipation helped precipitate a decade of disorder and polarization. They were not, however, the only factors at work. Economic growth and changes in the location and composition of industrial and commercial activity and corresponding changes in transportation networks and planning policies were driving internal migration from small rural communities to sprawling suburbs. Hence, people with traditional religious and moral views and uncomplicated iconographic appreciation of the U.S. past encountered public-school systems staffed on the whole by persons with more secular, morally permissive, and iconoclastic worldviews. Decisions of the federal courts in favor of strict separation of church and state in education, as in the public sector more generally, also were disturbing.

The long-growing strength of secular and utilitarian views in the country’s coastal states and, more generally, among the highly educated, and a coincident relaxation of traditional moral perspectives undoubtedly was accelerated by the breakup of traditional families and communities and the vast expansion of higher education after World War II. The Supreme Court’s decision in *Rowe v. Wade* and the gradual extension of the civil rights movement to include homosexuals further aggravated the traditionalists’ sense of being under siege.

## The Rise of Neo-Conservatism

The wider electorate sets limits to and is arguably the ultimate arbiter of disputes among insiders over foreign policy issues, but it does not define them. In all countries that is the work of a relative few. And while—at least in a democratic country—that few has a more or less vital connection to the wider society, elites have their own histories.

In the face of the near-insurrectionist style of some student protests and the rise and spread of anomic social violence during the 1960s and early 1970s, the bulk of the intellectual class remained liberal-to-social democratic in its politics. But under the flag of “neo-conservatism,” a minority seceded. They were alienated by what struck them as an acute threat to traditional liberal politics—incrementalism, compromise, and technocratic reform. A credible if wildly exaggerated assault on liberal values traditionally construed was not, however, the only factor encouraging ideological secession from the main body of the intellectual class. Within that class there were fault lines dating from the early Cold War. For most of the century intellectuals had had a distinctly leftist tilt in comparison to the rest of U.S. society. By the 1960s, however, the affluence and individual freedom manifest in the developed capitalist states in contrast to the disjunction between Marxist visions and reality in the Soviet Union had persuaded many intellectuals that the Soviet dystopia stemmed not from the peculiarities of Russian history or the accident of bad leaders but rather from the very nature of the socio-political model implicit in Marxism and actualized in the Leninism practiced by states.

What followed among that cluster of leftists moving right was a corresponding embrace of capitalist development and generalized hostility not only to Marxist regimes but to movements that self-identified as Marxist in their inspiration, or advocated a state-dominated economy, or received assistance from Marxist regimes. They became, in short, enemies of revolutionary movements in principle as most famously articulated by Jeanne Kirkpatrick. Revolutionary regimes were totalitarian in principle and thus, could not evolve in a democratic direction, while authoritarian governments of the right did have a democratic potential. By contrast, the bulk of liberal-to-leftist intellectuals felt that in developing countries with extreme and embedded

inequalities sustained by remorseless repression, virtually any movement that challenged the status quo was worthy of conditional encouragement. Moreover, the popular mobilization encouraged by revolutionary movements and, following their victory, a radical change in property relationships carried out by a strong state were necessary preconditions for the evolution of freer and fairer societies.

Ethnic identities and interests also played a role in the emergence of neo-conservatism, helping to crystallize divisions over foreign and domestic policy. Americans of Jewish extraction had played (as they continue to play) a prominent role in every dimension of the country's intellectual and artistic life and also in the struggle for civil rights and civil liberties. In domestic conflicts, Jews and African-Americans were the main elements of the coalition battling to complete the emancipation, announced almost a century earlier, and provided many of its leaders. Civil rights legislation had demolished the formal and also the most palpable de facto barriers to upward social movement. The victory of the civil rights coalition opened doors through which the talented and well-prepared could pass. That high percentage of the Jewish minority that was university educated or already in the middle-to-upper classes surged through. African-American university graduates also benefited, but a large number could not get through the newly opened doors or could do so only with some form of assistance. For many, poverty replaced race as the principal barrier to social mobility.

One result for relations between Jews and African-Americans was erosion of the common interests, which, along with liberal values, had bonded their coalition. Many African-American leaders, accurately invoking an historical experience comparable in its trauma only to that of Native Americans, began calling for affirmative action by the state and by large private entities like corporations and universities to shrink the existing barriers and to compensate for the traumatic legacy. Affirmative action could take quite a variety of forms, but to the extent it was construed to mean race-based preferential access to jobs and opportunities like seats in selective universities or positions in public service and the professions, it jammed up against the interests of those ethnic groups, like Jews, who had broken discriminatory barriers in part by excelling in the tests of merit devised by the old White-Anglo-Saxon-Protestant (WASP) majority. Despite

this emerging conflict, many Jewish intellectuals supported affirmative action. But for some among them, it contributed to the confluence of events and issues pushing them to the right.

Perhaps hastening that move was a coincident movement within a part of the African-American community of what is sometimes called “nationalism,” a felt need to assert a distinctive identity and to build ethnically homogeneous social and political action organizations. At one point, a small minority within one of the established civil rights organizations—the Student Nonviolence Coordination Committee (SNCC)—even considered the exclusion of whites, which to a considerable extent meant excluding Jews. For some Jews who had seen themselves as champions of Black interests, the increased edginess in relations between the two groups and more generally between black and white liberals was disillusioning.

Two other developments encouraged the rightward float of a portion of the Jewish intelligentsia. One was increasing friction between the communities at their socio-economic bases. The second was growing identification of the African-American intelligentsia with the views and interests of the Third World, particularly with respect to the issue of “national liberation” for the peoples who had been colonized. By the 1970s, most colonial territories had become sovereign states and UN members. The refusal by the U.S. and a number of its European allies to reduce their economic relations with South Africa, and a U.S. style of diplomacy that seemed dismissive of the Third World generally, led to polarization at the world organization.

One notorious outcome was 1975 General Assembly resolution 3379 equating Zionism with racism. U.S. Permanent Representative Patrick Moynihan voiced the outrage of the U.S. Jewish community (and, to be sure, many others) and committed himself to confronting the Third World on this and every other issue construed as inimical to U.S. interests and values, a position that added to the polarization at the UN and would later help catapult him into the Senate.

Hostility by the Third World majority in the General Assembly to Israeli policy or, as many saw it, to Israel itself and to U.S. interests and values more generally induced a reciprocal

hostility toward the UN that spread beyond the confines of the far right. It became one of the distinguishing features of neo-conservatives and further distanced them from African-American leaders. The latter did not endorse the Zionism-as-racism position, but at least some could not help feel a certain sense of identity with Palestinians living without political rights and without even well protected civil rights in the territories occupied by Israel in 1967. They naturally sympathized with whomever sought to overturn white racist rule in South Africa and felt some affinity with those demanding a fairer economic deal for poor countries and some form of redress for past exploitation. A General Assembly in which African states formed the largest bloc meant that the African-American intelligentsia could not in general share the hostility towards the UN present among their conservative Jewish counterparts, particularly among those moving right for other reasons as well.

### **Traditional Conservative Realists and Neo Conservatives: Conflict and Reconciliation**

Henry Kissinger and James Baker—foreign policy stalwarts in the administrations of Richard Nixon, Gerald Ford, Ronald Reagan, and George H. W. Bush—epitomize the realist conservative. For them, the purpose of statecraft is to advance U.S. power and protect material interests in a dangerously competitive and structurally anarchic world; the promotion of democracy and the defense of human rights is incidental. One result of this worldview is a readiness to strike deals with regimes seemingly of any ideological stripe or level of brutality in the treatment of their own people so long as those deals appear to advance national interests. Another is a certain measure of restraint in the exercise of power because the United States should not slay dragons that have no capacity or incentive to threaten either the country or its allies.

Jeanne Kirkpatrick, Ronald Reagan's first ambassador to the United Nations, and Elliott Abrams, who became assistant secretary of state for human rights and humanitarian affairs early in the Reagan administration, epitomize the foreign policy views of neo-conservatives. For them,

the *Realpolitik* statecraft of Kissinger and Baker is too limited in its goals and too restrained in its means. The United States, for them, is not simply a great power but also a cluster of ideals. And by a marvelous even divine coincidence, pursuit of those ideals can only enhance the country's power, wealth, and security. In praising Reagan as the defender of liberal values, Kirkpatrick enunciated the core vision of the neo-conservative.

“Liberal” was not, however, a description that Reagan's first secretary of state, General Alexander Haig, would have welcomed. As I noted earlier, to underscore differences with the defeated Democratic administration of Jimmy Carter and to signal support for right-wing regimes in Latin America, Haig announced that human rights was off the agenda. Suiting deed to word, he purged from the diplomatic corps of those ambassadors most closely identified with Carter's human rights policies.

This remained the declared position of the administration until, still early in his first term, President Reagan accepted Secretary of State Haig's resignation. Shortly thereafter, Elliot Abrams became assistant secretary. His accession roughly coincided with a sea change in administration rhetoric. Until Haig left, there was dissonance between the Reaganite characterization of the relationship with the Soviet Union—a struggle between the free world and the “evil empire”—and hostility to Carter's human rights legacy. After Haig, the rhetoric segued into harmony by equating the defense of human rights with the promotion of democracy defined narrowly in terms of elections that were not grossly fraudulent. This was a conspicuous departure from Carter administration policy that had been deeply concerned with torture and summary execution in the Third World, even when perpetrated by such dependable U.S. clients as right-wing military governments in Latin America.

The post-Haig State Department responded by minimizing, denying, or rationalizing delinquencies and urging elections while opposing negotiated power-sharing arrangements in cases where massive human rights violations were entangled with civil wars between military governments and left-wing guerrillas. Thus, policy incorporated the view announced by

Kirkpatrick before the administration assumed office, namely a categorical hostility to regimes and movements of the left.

After Haig's departure, latent tensions between realists and neo-conservatives rarely surfaced conspicuously. Whatever the differences in motives—between the conservative aim of maintaining unchallenged U.S. hegemony in the Western Hemisphere or the additional neo-conservative one of maintaining ideological purity by pulverizing left-wing authoritarian regimes—both supported ruthless right-wing regimes in El Salvador and Guatemala and efforts to overthrow a leftist one in Nicaragua. Conflicts over relations with Moscow lost their edge once Mikhail Gorbachev assumed office and initiated multi-faceted policies that would, with astonishing speed, liquidate Moscow's empire and then the Soviet Union itself. But once George H.W. Bush took office and put James Baker in charge of foreign policy, discord reemerged, particularly over the failure to use the occasion of the first Gulf War to eliminate Saddam Hussein and to engineer a viable settlement of the Arab-Israeli dispute. Modest pressure on Israel for concessions to Palestinian nationalism, including for the first time in years a hint of material sanctions, evoked a furious assault from neo-conservatives even to the point of implying that Baker was a hidden anti-Semite.

Beyond factional conflict over particular issues lay the broader difference of worldviews. In a seminal statement of neo-conservative goals for the post-Cold War era, Charles Krauthammer caught the policy community's eye with an article calling for full exploitation of the "unipolar moment." Concretely the U.S. was to employ its unrivaled power to shape a world reflective of American values, elected governments, and free markets. Neither the cautious democracy promoting efforts of realists nor their strategy of positive engagement with the nominally communist regime in China came close to satisfying this vision. And so the neo-conservatives noisily nursed their dissatisfactions, seemingly as disappointed as right-wing Christian groups with an administration so plainly indifferent to the excited ambitions and cultural sensibilities of both factions.

Whatever their sour disappointment with the first President Bush, it was as nothing to the fury and contempt evoked by William Jefferson Clinton, the incarnation of the detested counter-cultural life-style, and his First Lady, a feminist icon. Hardly friends of Clinton's easy virtue and broad tolerance, the neo-conservatives were even more enraged by the dissipation of U.S. opportunity and power. Realist conservatives could make common cause with neo-conservatives and the religious right, their sometime allies in the broad conservative coalition, because they disliked Clinton's stance on humanitarian intervention and state-building.

To the limited extent that the 2000 presidential campaign debates engaged foreign policy, George W. Bush sounded the themes of the realists. On his watch, U.S. troops would be used as soldiers not humanitarian hand-holders. He would not waste the U.S.'s human and material resources on errant adventures in nation-building or to rescue feckless peoples. Asked what he would have done had he been faced with the Rwandan genocide, he replied that he would have encouraged UN action but not sent U.S. troops. Presumably to propitiate the Jesse Helms's wing of his own party, he also criticized placing American forces under UN command, as had happened briefly in Somalia, a position Clinton himself seemed to have adopted after October 1993. Beyond that, Bush actually mirrored Clinton by deploring his father's accommodationist behavior toward China and intimated that he would shift to a much cooler tone. In brief, nothing in the rhetoric of George W. Bush's campaign or in his selection of two apparently realist conservatives, Colin Powell and Condoleezza Rice, to be his top foreign policy advisors augured a major change in foreign policy. Still, given the number of neo-conservatives who were slated for important posts, the role of the Christian right (now in close alliance with the neo-conservatives), the volatility of the Middle East, and the existence of Al Qaeda with its expressed determination to drive the U.S. out of the Middle East, it would not have taken clairvoyance to imagine circumstances that would open the door for a quite dramatic policy departure.

From the inauguration in January 2001 until September 11, 2001, the Bush administration complied roughly with the expectations that the president had cultivated while he was a candidate. Even his curt dismissals of U.S. participation in international treaty regimes like Kyoto, the ICC, and the supplemental enforcement protocol to the Biological Weapons

Convention were hardly at odds with his general approach to national security policy. Then the attacks on the World Trade Center and the Pentagon opened a world of risk previously envisioned only by some of the national security cognoscenti. Neo-conservatives alone had a grand strategy of response, one that in its very ambition and vision corresponded to the shock and fury of the U.S. public and to its congenital sense that wars should end in glorious, transformative victory.

### **The Neo-Conservative Project**

Hegemony, as neo-conservatives argued in the 1990s, is not the mere possession of dominating power, but also the will to use it on behalf of a coherent project. In the Clinton years, hegemony was only latent. The catastrophe of September 2001 created the circumstances in which it could be made real.

Although there is not a single comprehensive statement of the neo-conservative project and its premises, out of the particular policies advocated by its high priests and house organs, as well as the thicket of argument surrounding them, project and premises materialize. Having won the Third World War, conventionally called the “Cold War” although it had many hot incidents, we are now by dint of circumstance launched into a fourth. Like the second and third ones, it stems from a conflict of values and not of mere interests. It is a war between believers in free peoples and markets, on the one hand, and infidels, on the other; it is a war between democratic capitalism and its enemies. The former is expanding, not at the end of a bayonet but in response to the desire of people everywhere to receive it or at least its blessings. It expands, in other words, by pull and not push. And that expansion is coterminous with the expansion of individual freedom.

The expansion coincidentally threatens where it does not immediately demolish the practices, beliefs, and institutions that thrive only where freedom is alien and can be made to remain so. As the financial and cultural base of the expansion (sometimes labeled “globalization”), the U.S. is the inevitable target for all those who, being threatened, resist. And since globalization is not a public policy but the summation of millions of private initiatives, the

U.S. government cannot erase the bull's eye from the nation's flank by any policy other than attempting to remake the country in the image of its enemies, a closed society. For political reasons, the government could not do that; for moral ones, it should not try even if the political obstacles were to diminish.

So war is our fate. It is a war on behalf of democracy and human rights. Democracy serves the national no less than the human interest because democratic countries do not fight each other and they fit comfortably into the open world trading system, the win-win game that has so brilliantly served American national interests and those of ordinary people all over the world. A key, if not always clearly declared, premise of neo-conservative grand strategy is that given the opportunity, ordinary people will prove to be *homo economicus*, rational maximizers of their material well-being. To serve its interests and theirs, the United States should provide the opportunity, as it provides the quintessential model: strict limits on state power; the rule of law including transparency of the public realm; an independent judiciary; extensive rights to private property associated with constitutional limits on the confiscatory power of the state; and free elections to sustain the rest.

The individual, being protected from depredations of the state, is thereby liberated to pursue material well-being. The ethic of consumption will trump all other ends. An electorate of economic strivers will disown projects that conscript their wealth; they will find dignity and meaning in the struggle to produce and sufficient pleasure in the satisfaction of their appetites. That is why liberal democracies do not war with each other. To be sure, fanatics immune to the ethic of material consumption will not altogether disappear. But they will no longer be able to multiply themselves so easily. And liberal democratic governments, driven by the coercive power of elections to mirror the interests of their electors, will cooperate with the U.S. to extirpate fanatics.

Francis Fukuyama, who declares himself a former neo-conservative, continues to insist that a commitment to the promotion of human rights and democracy are two of the principal elements of neo-conservative thought and are allied to the belief that "American power can [and

should] be used for moral purposes.” As I suggested above, a third feature of the neo-conservative canon is a conviction that international law and international institutions inhibit unacceptably the exercise of that power to advance the national and the human interest. Originally there was a fourth element, namely “a view that ambitious social engineering (for example, forced busing to integrate schools and long-term support for the non-working poor) dangerously inflate the size of the state, often disrupt pre-existing social relations with attendant individual and community costs, and in all cases have unintended consequences that generally defeat the goals of the engineers. It, however, got lost in the heady days following the dissolution of the Soviet Empire and then of the Soviet State. In Fukuyama’s words: “By the time of the Iraq war, the belief in the transformational uses of power had prevailed over the doubts about social engineering.”

### **Liberals, Neo-Conservatives and Human Rights: Why not an alliance?**

Historically, American liberals have been relatively optimistic about social engineering. By definition they are promoters of democracy and human rights. And while some have inclined toward a view of force as the absolute last resort, many have advocated armed intervention at least in cases of sustained violation of fundamental human rights and, in the case of Haiti, supported armed intervention on behalf of democracy. So why the raw hostility to the neo-conservative movement among political liberals and most of the leading figures and institutions in the international human rights world?

Is the skepticism a merely visceral response to the conservative messenger? Or are there reasoned grounds, rooted in liberal values and the deep essence of human rights, for rejecting this message? Actually, taking the messengers’ identity into account is entirely reasonable, part of the seasoned wisdom of everyday life. We do not entrust things that we value except to persons who have created grounds for trust. And there are essentially two reasons why we trust people. One is that they have a record of fulfilling their commitments, and the other is that we

have common values. The latter is particularly important when the mission we are called upon to entrust to the messenger has as its very purpose the advancement of our values.

If our end is the broader realization of human rights and the proliferation of liberal democracies, there are substantial reasons for root-and-branch distrust both of the neo-conservatives who helped to shape and provided much of the intellectual gloss on post-9/11 Bush Administration foreign policy until the disasters of the past year and of the President who after 9/11, made their rhetoric his own. As noted above, when George W. Bush sought the presidency, he disowned use of the coercive power of the U.S. where the only potential gain in a given case would be protection of human rights. This was also the position of his national security advisor. But the case for skepticism does not rely simply on the place of human rights in the president's declared hierarchy of concerns. In addition, his secretary of defense had served as a special envoy to Saddam Hussein during the Reagan administration, when it was assisting the dictator whose aggression against Iran had backfired to the point where, without extensive external support, he faced utter defeat. It was during this period that Saddam Hussein employed chemical weapons against both the Iranians and the Kurdish population of Iraq without in any way compromising Washington's support for his regime.

Many senior members of the current administration served in the earlier Bush administration when it stood idly by as Yugoslavia disintegrated and Serbia initiated mayhem in Croatia and Bosnia. To be fair, they do not have more to answer for morally than the Clinton administration, which also wrung its hands as Slobodan Milosevic and his colleagues murdered their way around the Balkans and as Rwanda's slow-motion genocide took place. But Clinton never promised us a no-holds-barred crusade for liberal democracy and did not ask the country to entrust him with wartime power to spread the American Way.

One could, moreover, argue that, if we are going to ground skepticism on past words and performance, we need to disaggregate realist conservatives like Rumsfeld and Rice from neo-conservatives like Deputy Secretary of Defense Paul Wolfowitz or the National Security Council's Elliott Abrams, or pundits like Charles Krauthammer. Even if it is hard to credit the

traditionalists with an epiphany in September 2001, have the neo-conservatives not been at least rhetorically consistent? Indeed, is not a declared commitment to Wilsonianism with fixed bayonets a defining feature of neo-conservatism? Thus, the problem seems less one of the messenger's sincerity than it is of the humanitarian implications of the message itself.

A crusade for democracy, even full-blown liberal democracy, overlaps but is not synonymous with a crusade for human rights. Moral criteria for evaluating the exercise of power stretch into the remote past. So does the idea of possessing rights in relationship to power holders. But the idea of rights held in common not just by all members of the same class, profession, guild, race, religion, or nation but by every human being simply by virtue of being human, now that is a modern idea. And just as it is not synonymous with liberal democracy, it is not synonymous with general human welfare.

A common conception of human rights is that they are categorical claims on human beings and institutions, primarily on governments to act or refrain from acting in ways injurious to the exercise or experience of the right. At least the so-called first generation of civil and political rights that have evoked the widest consensus about their imperative quality are focused on the individual, not the wider community. More than that, they are claims that the community cannot trump or be subordinate to some presumed general good which, while causing injury to a few, enhances the welfare of the many.

It is conceivable that a good faith effort to implant liberal democracy throughout the Middle East and in other areas where it is largely absent, an effort carried out in part by war, armed subversion, assassination, and other instruments of coercive statecraft, might in the long course of history enhance human well-being beyond anything that could be achieved through such non-violent means as education, economic incentives, financial and technical assistance to democratic movements, and improving the welfare consequences of democracy so as to increase its attractions.

But even if we could be certain that human welfare would in the long term be better served by violent statecraft, if one were committed to the view that human rights are trumps, then one might still oppose a crusade for democracy. Taking of innocent lives is among the probable features of a violent crusade for whatever end. One particularly awful instance occurred during the invasion of Iraq, when a missile flying off course struck an apartment complex wiping out a child's immediate family, ripping off his arms, and crisping his body. Since civilians were not targeted—on the contrary it appears that the U.S. military made an unusual effort to minimize civilian casualties—this child's horror was entirely within the boundaries of the humanitarian laws of war. Nevertheless, pain and death inflicted predictably, albeit unintentionally, on the innocent rubs against the grain of human rights in any war of choice rather than self-defense. And that would be the case whether the choice is made for the purpose of preserving U.S. freedom of action or extending the incidence of democracy.

The one thing certain about armed intervention is the death and mutilation of the innocent. Because the core human rights are imperative claims by individuals not open to trumping by some supposed long-term general good, a crusade to defend them has built-in restraints that a crusade for the general expansion of democracy does not. In the former case, we are constrained at least to balance the lives hopefully saved against those we will take in order to save them. But if democracy alone is the end, then as long as we are confident that some will survive to hold free and fair elections what matters more than civilian deaths other than the lives of our own troops? This may seem like an unfair *reductio ad absurdum*, carrying the logic of the neo-conservatives' position beyond the point that most of them would probably go.. Yet, in fact, it is grounded in experience such as Central America in the 1980s. There, in the name of democracy, neo-conservatives championed war rather than fostering compromise and leveraging the social change that might have given substance to democratic forms. They did so in alliance with Jacksonian chauvinists exemplified by Senator Jesse Helms and traditional conservative policy realists epitomized by Henry Kissinger. What helped unite them then and appears to unite them now is indifference to what liberal humanitarians deem essential: Due regard for the opinion of our old democratic allies and due concern for the lives of the peoples we propose to democratize.

## **Latin America and the United States' Agenda After Iraq**

What do these ruminations about the socio-cultural and ideological sources of United States foreign policy, taken in conjunction with the costs and disillusioning results of the Iraq war, suggest about the medium-term trajectory of that policy and, in particular, its likely impact on human rights and democracy in Latin America? Since the past is always in some significant degree a prologue, it seems essential to remember it. Even during the Cold War, once the Superpowers luckily fumbled their way past the 1962 Cuban Missile crisis and Havana and Washington alike discovered that Castro's revolution was not readily exportable, Latin America was relatively low on the agenda of U.S. foreign policy concerns except as a playing field where ideological rivals within the United States could express their antipathies. Such place as it had on that agenda seemed a function of the emergence of human rights as an explicit operational concern of U.S. foreign policy makers together with the resort to flamboyantly terrorist measures by regimes in some prominent Latin countries, the implosion of friendly right-wing governments in parts of Central America, and the flood of cocaine into the U.S.

The end of the Cold War and the roughly coincident spread of elected if not in many cases effective or liberal democratic governments dropped it right to the bottom of that agenda. High officials in a global superpower do not have limitless attention spans. Even when, during the Presidencies of Bush the father and Bill Clinton, policy was in the hands of centrists, Latin American (with the exception of Mexico) could not compete with the drama of Eastern Europe's transition to capitalism and democracy, with Russia's loose nukes and political vicissitudes, with emergent China and the general rise of Asian economic weight, with Africa's exotic diseases and telegenic slaughters, or with the global economy's continuing energy dependence on a rumbling Middle East.

The 9/11 terrorist attack and the corresponding ascension of neo-conservative policies and preoccupations simply intensified Latin America's marginalization. It was not an incubator or safe haven for transnational terrorists. It seemingly had enough political order to make its energy reserves accessible for the foreseeable future. The Middle East, on the other hand, had a plenitude of terrorists with a global reach and signs that its vastly more important energy reserves were at risk of volcanic social eruptions. And it contained Israel, whose security was practically a defining preoccupation of neo-con intellectuals and a theological obsession of their populist allies on the Christian Right, key foot soldiers of the Republican Party. Moreover, its pathologies were seen to threaten contagion in Europe and parts of Asia.

At this point it is hard to see how the broad disillusionment with neo-con prescriptions stemming from the Iraqi quagmire could enhance Latin America's priority in U.S. policy making. If Washington had previously had ambitious schemes for helping Latin American countries deepen democracy, then the collapse of confidence in grand transnational exercises in social engineering could have had a knock-on effect. But of course such schemes did not exist. And not only because of the lack of priority. Populist indifference to non-threatening conditions in other countries and the hegemonic discourse in favor of limited government and laissez-faire capitalism would in any event have precluded anything more than the financially and conceptually modest programs of democracy building—some electoral assistance, a jot of party building, a tittle of formal judicial reform, etc.—that have become a relatively uncontroversial feature of American foreign assistance programs.

It is possible, however, to envision a number of scenarios in which parts of Latin America would suddenly acquire enhanced prominence with resulting consequences for human rights and democracy. Whether they would be positive is by no means clear. In one scenario a succession crisis following Fidel Castro's death or incapacitation induces a

U.S. intervention and the attempted installation of a regime dominated by exiles. The intervention itself is certain to be costly for the civilian population and an exile-dominated regime, almost inevitably unstable and *revanchist*, is correspondingly unlikely to be an effective guardian of human rights or the architect of a liberal democracy.

Although such an intervention would be furiously unpopular in most of Latin America, whether it would have much ripple effect is unclear. In Venezuela it would probably encourage paranoia (or reasonable anxiety) in the Chavez regime leading to further restrictions on civil and political rights. If such restrictions in turn aggravated internal tensions and if, in any event, the flow of oil from Venezuela seemed threatened, then the option of U.S. intervention in that country might gain traction in Washington. To me it is hard to predict whether the renewal of the historical threat of U.S. armed intervention would have a polarizing effect within many Latin countries leading to increased violations of human rights. Arguably there would be little effect within most countries, since condemnation of intervention would probably unite most political and class fractions.

The most plausible impact of the Iraqi mess within the Hemisphere is inhibition of U.S. temptations to intervention that could arise in connection with developments in Cuba and Venezuela. But one cannot discount entirely the Jacksonian strain in American political culture with its readiness to employ violence in the face of perceived insult to national honor or threats to tangible national interests.