

## **“Human Rights: America's Lost Ideal”**

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The re-election of President George Bush marks an important event in the history of human rights. For four years, it has been possible to view the current American administration's disregard of international law and of human rights as an historical anachronism, the kind of wrong turning that it is necessary to make for a while in order to be sure that the right route lies in the opposite direction. The comprehensiveness of Mr Bush's victory makes that impossible; the true disaster (which would have left the country ungovernable) would have been Mr Kerry sneaking in via the electoral college while having overwhelmingly lost the popular vote.

There is one large chink in the impeccably democratic veneer that the US system presents to the world. Here is an administration that has consciously engaged in the torture, inhuman and degrading treatment of individuals subject to its power. It has done so, not as a matter of accident or bad management but through conscious design, intending to secure outcomes of assistance to it through the deliberate infliction of suffering. Nor has the administration bothered with any process of truth-finding before commencing these acts; it has been content to grab, attack and hope for the best. The entire American electorate knew this when they voted on 2 November; the pictures of Abu Ghraib ensured the facts reached even the illiterate. Despite this Mr Bush was returned with a greatly increased vote. His victory is, among everything else, a mandate for torture.

With this result the idea of human rights in its modern form has now come full circle. Looking around for an idea to motivate his people and to help persuade them to enter the Second World War, President Franklin Roosevelt hit upon the idea of defending 'four freedoms', the freedoms of speech and religion on the one hand and freedom from fear and want on the other. In that historic speech to Congress on 6 January 1941, the President described these freedoms as inevitably entailing 'the supremacy

of human rights everywhere.’ In the aftermath of the war, the victorious Americans constructed a new world order that was based on a triad of enlightenment principles, democracy, the rule of law, and respect for human rights. In the constitutions drawn up for the defeated Axis powers, and in the international and regional human rights treaties that were then also assembled, it was made clear that being a democracy no longer meant being able arbitrarily to kill, to torture and to engage in genocide. Majoritarianism was henceforth to be limited in the name of human rights.

The lesson that the United States then taught the world is one that it now seems itself to have forgotten. Of course it would be naïve to assume that the American commitment to human rights was ever entirely idealistic. It never involved the domestication of any international human rights treaties, for example. Controlling democracy abroad by reference to judicially-enforceable human rights (including not just the right not to be tortured but also the right to property and to fair procedures) was a good way of ensuring that some local population or even whole nation did not succumb to the socialist temptation to trespass on the rights of the lucky few en route to utopia. In the 1970s, human rights became even more diplomatically valuable as a stick with which to beat the Soviet bloc, and western success in describing human rights as being about civil and political freedom rather than social and economic entitlements kept the subject to the forefront of diplomatic rhetoric until the end of the Cold War.

The successful re-election of the current Administration suggests that the US now finds little or no deep moral resonance in the term ‘human rights’ in the unipolar world in which it is convinced its indefinite pre-eminence is assured. That is not to say that the phrase will not continue to be used as an instrument of state policy in international affairs, to berate the Chinese for this failing, the Cubans for that error and the like. But where once this might have given rise to credible claims of double-standards, with the Washington authorities being put on the defensive, now the double-standards will be so obvious as to be beyond reproach. ‘Of course we criticise our enemies while supporting our friends and doing whatever we want ourselves’ will be the answer; in other words ‘human rights’ will have collapsed into a sub-set of realpolitik.

What can be picked from the rubble? There is a real risk that the human rights discourse with which we have all grown up, and which is one of the great civilising achievements of the 20<sup>th</sup> Century, will drift into disuse over the coming decades. Certainly a tri-polar world, with the global agenda set by China, Russia and a United States made in the image of George Bush, is not at present one that is likely to have much time for ideas of human dignity and individual worth. As already suggested, the American use of human rights is likely to continue its plummet into the depths of pure, albeit diplomatic, opportunism. The Chinese are even now pondering how to transform their economically liberal society into a more accountable one without losing what they perceive to be the authoritarian advantages of their current system, and a human-rights-free democracy, in which individuals can continue to be the instruments of a managed majority legislature, is bound to appeal. The Russians, too, must be savouring the prospect of re-building their power along similar lines. And as for the benighted South, losers in the new global game, who can realistically expect these millions of impoverished people (large numbers of them Islamic) to respect the 'human rights' of their lucky fellow-beings to the North? Even today, the mystery is not why there is so much angry violence from the dispossessed but why there is so little.

The one beacon of hope in all this is the European Union, an organisation of different communities, regions and nations that continues to have use for the idea of respect for human rights as a valuable glue with which to bring its diverse parts together. The patchwork that results might look a bit wobbly to some but in its ongoing respect for diversity and tolerance, and in its determination to respect the values of the Enlightenment, it looks more like a future we might want than any of the dismal alternatives that are currently on offer. The accession of Turkey is pivotal here: if this great country can be brought on board then everything is possible – perhaps even also, eventually, the re-conversion of America, not to religion (it has more than enough of that) but to the secular creed of human rights, to which – not so long ago – it was so wonderfully committed.