Human Rights and Foreign Policy from FDR to Trump

Joseph Nye
Harvard University Distinguished Service Professor, Emeritus
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Human Rights and Foreign Policy from FDR to Trump

About the Author

Joseph S. Nye Jr., University Distinguished Service Professor, Emeritus and former Dean of the Harvard's Kennedy School of Government. He received his bachelor's degree summa cum laude from Princeton University, won a Rhodes Scholarship to Oxford University, and earned a PhD in political science from Harvard. He has served as Assistant Secretary of Defense for International Security Affairs, Chair of the National Intelligence Council, and Deputy Under Secretary of State for Security Assistance, Science and Technology. His most recent books include The Power to Lead; The Future of Power; Presidential Leadership and the Creation of the American Era; and Is the American Century Over.

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Introduction

Thank you very much Mathias. It’s a pleasure to be here and talk at the Carr Center – Carr was just a fledging new center when I was Dean of the Kennedy School and it is now a major voice for human rights both here in the U.S. and globally. Congratulations.

I’m going to expand my topic beyond “human rights from Carter to Trump.” Although I served in the Carter Administration, I want to put human rights in a broader historical perspective. Specifically, what is the relationship between human rights today and what is called the liberal international order that dates back to Roosevelt and Truman? I would like to expand the topic and give more context to its early origins in the liberal international order.

Why would I do that? I am not sure how many of you have seen the current issue of Foreign Policy magazine which is titled “The End of Human Rights”, with a rather dead-looking dove on the cover. The central argument in that issue is that we are seeing a return to sovereignty, and that means the end of the commitment to R2P—the responsibility to protect—and the International Criminal Court. Another thing that has made me want to think about this topic in a broader context is the work I’ve been doing in the past few years on cyber conflict and normative restraints. I spoke last year at a Chinese cybersecurity conference. China is trying to assert sovereignty over the Internet, which is the opposite of what Hillary Clinton and others advocated when they pushed for human rights on the Internet and an “Internet freedom agenda.”

Another recent experience also provoked me to broaden this topic. I attended the International Studies Association conference last week in San Francisco, which involved some 7000 scholars. I was on a panel with the realist theorist Chicago Professor John Mearsheimer, who said order and the promotion of values depend upon the balance of power, and that balance is changing. In his words, “You cannot have a liberal international order if two thirds of the great powers are not liberal.” We have three great powers according to realists like Mearsheimer: the U.S., China, and Russia. Two out of three of these being anti-liberal means the end of the international liberal world order.
That is a very specific realist challenge, but I was also stimulated to expand the topic of this talk by reading Kathryn Sikkink’s wonderful new book, *Evidence for Hope*. Her book is the antidote to the argument in the latest *Foreign Policy* magazine, though I fear the truth is somewhere between the two of these. But let me go back to basics and start with the international order.

**Origins of the International Order**

International order is simply a framework of managing the relations between states and peoples. For most of history this was done by empires. State systems were relatively rare in history; by and large any large-scale order depended on empires. The idea that a system of sovereign states would become the only legitimate form of international relations did not emerge until post-1945. Even Woodrow Wilson and his League of Nations accepted colonies. They just changed the word from “colony” to “mandate”. It was not until after the establishment of the United Nations that the notions of self-determination and rights were used by colonial peoples to change the way the world was ordered. This was revolutionary. The anti-colonial movement generalized the idea of sovereignty and used it to establish more rights. My earliest field work was done in Africa, and I witnessed this different world unfolding as I watched two British colonies become independent.

In state systems, the largest states tend to set the framework or the rules and thus create an international order. Henry Kissinger points out in his book *World Order* that order depends on power and values, and more powerful states are better placed to project their values. You see an international order in the 18th century European state system as described in Gulick’s *The European Balance of Power*. However, it was a very limited set of norms about how monarchical states should treat each other. This order expanded into the Concert of Europe after the Congress of Vienna.

In the 19th century, as technology and commerce increased globalization—interdependence at intercontinental distances—some global order was provided in the form of *Pax Britannica*. It was global but not universal. Britain expanded its colonies to control a quarter of the world, but that is not everyone. The sun never set on the British empire, but there were indeed large gaps. Britain tried to establish rules for the international order but in reality, those rules were limited to places that they controlled.

Britain was not the strongest power. If you use Mearsheimer’s ranking or definition of a great power, Russia had more troops, and Germany had a larger economy. But Britain had global reach through its empire, and in that sense British rules provided some global order. Specifically, they provided some global public goods—things from which all can benefit and none be excluded. Britain promoted freedom of the seas because it wanted free seas for its navy, freedom of trade and tariffs because it needed to export its manufactured goods, and a relatively stable international financial and monetary system because the financial and banking systems of the time benefited London.
Although world order is provided by large states for selfish reasons, it can be at least a partial public good. However, it is one that suffers the free-rider problem. If you are too small to make a difference to the provision of a public good, why pay for it? The only countries with an incentive to provide global public goods are the ones who, when they don’t provide a world order, will notice the order missing. In the 19th century that was Britain.

The United States and the Liberal World Order

At the beginning of the 20th century, the global reach of Britain’s empire enabled it to create a limited international order through setting rules that were in its interest but also provided some global public goods. The United States became the largest economy in 1900, but at first did not do much in terms of international policy. In 1917, President Wilson changed the classic American foreign policy of not getting entangled in Europe and sent two million troops to assist the Allies in WWI, which tipped the balance of power in the war. But after the war the U.S. Senate rejected Wilson’s League of Nations; the body politic said intervention had been a mistake and the U.S. went back to its isolationism. The net effect was that in the 1930s Britain was too weak after WWI to provide the global public goods it did previously, and the Americans, now the strongest state, decided to free ride. As a result, no one provided global public goods and the 1930s are known as a “low and dishonest decade” of economic depression, prelude to genocide, and WWII. Fortunately, the Americans learned a lesson from the disaster.

As Franklin Roosevelt planned for the postwar world, he began to think about institutions. Starting with economic organizations like the Bretton Woods system in 1944 and then the United Nations in 1945, you can see a realization that the U.S. had to step in to provide global public goods. Pax Britannica had to be replaced by a Pax Americana. That continued with the Truman doctrine in 1947, the Marshall Plan of 1948, the formation of NATO in 1949, and the use of the UN in the Korean War in 1950. It was the beginning of what became a 70-year long tradition.

Many people say that 70-year tradition is now ending. Indeed, in 2016 when Donald Trump ran for election it was the first time that a candidate for a major political party came out against this American liberal international order. Trump was against NATO, against the Trans-Pacific Partnership (TPP), against the WTO, against the Paris Agreement, and against human rights initiatives.

What is interesting, though, is when you look at the international order, there are four different and distinct strands: a security strand (based on the alliances), an economic strand (represented by the IMF and WTO), a global commons strand (including the UN Convention on the Law of the Sea and the Paris climate accord), and a values strand (centered on promoting democracy and human rights).

President Trump has backtracked on many of the statements he made during his campaign. NATO was obsolete until three months into his term, as was the U.S.-Japan security alliance. On
the global commons, Trump has backed out of the Paris Agreement but not the UN Convention on the Law of the Sea. As for economic institutions, it is a mixed bag – he pulled the U.S. out of the TPP, ignored the WTO and imposed tariffs, but still says he believes in trade. At this stage it is too soon to tell if this just a negotiation tactic. It is in the area of values I think he has done the most damage. His embrace of authoritarian leaders like Rodrigo Duterte, Vladimir Putin, Kim Jong Un and others, is a major change from where the United States has been before on values.

**Human Rights in the Post-1945 Order**

Let’s now stop and consider this question about the four strands of the liberal international order. How liberal was it? Not nearly as liberal as some ideologists make it sound. Yes, in 1941 Roosevelt and Churchill talked about freedom from want and freedom from fear, but the reality is they were trying to win support for the war. For Churchill, the Atlantic Charter did not mean freedom for India or other colonies. He wanted to preserve the British empire. It is also worth noting that while the United States took an anti-colonial stand, it eventually eased its position on European colonies because of the fear of communism spreading. Ultimately, the U.S. supported colonialism, for example through the American support of French control of Vietnam. What started out sounding liberal in the Atlantic Charter ended up not being liberal in actual practice in the Cold War in cases like Guatemala, Iran, and the Congo.

As Kathryn Sikkink points out in her book, there are seven references to human rights in the UN Charter. But they are not there because of the United States. What Sikkink shows, as does Beth Simmons in her excellent work on human rights, is that other countries, particularly in Latin America, took the lead on putting human rights in the UN Charter and also took the lead on the 1948 Universal Declaration on Human Rights (UDHR). Americans love to look at pictures of Eleanor Roosevelt smiling over the UDHR but do not realize that the U.S. was very much a heel-dragger on human rights at that time. There was a great concern about the federal system and the Senate, and many southern Senators were afraid that if the U.S. went too far on human rights in the new international order it might call into question segregation in the South. When it came to race, America had a flawed past. Americans were not against human rights in the abstract, but were reluctant in practice. In the late 1940s and 50s the Senate was prevented from signing onto any treaty that might affect states’ ability to legislate social order, i.e. maintain segregation.

In that sense, the values of the liberal international order are there not because the United States put them there, but because others did. Human rights do not depend just on the U.S. In practice, the U.S. did not do as much to promote human rights as our myths suggest. That being said, it still made a big difference that the largest power was liberal. Imagine if Germany had won WWII, would the international world order look different? And if Stalin had won the Cold war? Absolutely it would look different. The United States’ society and its liberal bias did affect the way the system evolved in terms of human rights. We were not perfect, but our founding values pointed us in the right direction. They had an effect structurally in the regime change
and democratization of the defeated great powers Germany and Japan. It also had an effect on smaller countries: South Korea is an interesting case.

South Korea was a military dictatorship with a repressive system, but the nudging from the United States to South Korean officials made a huge difference in bringing about liberal reform little by little. For example, when the generals and the South Korean CIA were about to kill Kim Dae-jung, who was the great liberal President of Korea and had been in exile at Harvard—I knew him when he was a fellow at the Weatherhead Center—the American ambassador told the generals that they would damage their relationship with the United States. And this was during the Regan administration. The fact that the dominant power was a liberal power did not make the liberal order a very good one, but it pointed in a liberal direction. In that sense, human rights do, to some extent, benefit from American foreign policy from Roosevelt on, even though the Americans don’t always practice what they preach.

The End of the Liberal World Order?

Now where does this put us today in the 21st century? It is widely written that the “American international order” is over. I will cite the Financial Times columnist Martin Wolf, a thoughtful and dispassionate author, who has written several columns to the extent that the post-1945 order is over. That raises interesting questions for us. If that liberal order had something to do with promoting human rights, then where does that leave us?

When considering what caused this erosion of the post-1945 liberal order, people typically give two answers: the rise of China and the rise of Trump. I will start with the rise of Trump. I don’t mean Trump himself, but more generally nativist populism. The rise of nationalist populism—which you see in England in Brexit, and in the United States in the 2016 election—is partly a result of the success of the liberal world order, which destroyed local jobs and increased migration, leading to a popular revolt against it. We sometimes forget the first wave of globalization was not in 1945. There was an extraordinary wave of globalization in the first half of the 19th century. Some scholars attribute WWI and the rise of communism and fascism to the imbalanced economic growth and systems from before the war. My colleague Dani Rodrik (Professor of International Political Economy at Harvard Kennedy School) is cited as saying that because globalization has led to so much inequality, it has undercut democracy.

But it is not so simple a narrative as saying nativist populism is caused by China taking jobs from Detroit. The causes of the populist reaction we saw in the U.S. in 2016 were partly economic, but also in part due to the loss of status for non-college-educated white men. Demographic change, feminism, LGBT rights, and other cultural changes have led such people to not just feel displaced but also to focus much of their anger on immigration (as if migrants or foreigners caused this change). If this is correct—that the cultural element was as strong an influence on the rise of nativist populism as economic changes—then this is a long-term problem. Even if Trump goes away, Trumpism will not necessarily go away. Yet cultural values change over time, and younger generations are replacing the old men like me.
The other interesting question is what will be the impact of the continuing rise of China. China is not a liberal society. Some scholars like Mearsheimer argue that China will therefore seek to end or modify the liberal world order. There are models for what might happen, sometimes referred to as “power transition theories”, but the problem with these theories is that they often work in two different directions. One variant is called the “Thucydides Trap”, after the proposition that the rise in Athens’ power triggered an inevitable war by creating fear in Sparta. On this view, the rise of China will create great fear and war with the United States. I disagree, but I won’t go into it now. If this were true however, it would be a disaster, and not just for human rights.

The other variant of power transition theory is almost the opposite—the catalyst is not that the rising power acts too strong, but the rising power acts too weak. I called this the Kindleberger trap, after an economist down the river at MIT who argued that the real cause of the great depression in the 1930s was the United States’ being a free rider in the global order. And so, a Kindleberger trap would be that China doesn’t get too strong and scary, but that China free rides for too long and fails provide the necessary global public goods. John Ikenberry at Princeton says that “China has benefited so much from the liberal international world order that it is has an interest in preserving it.” President Xi Jinping said in his 2017 speech at Davos that China has benefited the from the current global system. Ikenberry says China will conform, while Mearsheimer says it will seek to destroy the international order because it was invented abroad. You can point to signs to support both of these theses: China has adapted and exploited its WTO membership, while at the same time it has rejected the rulings of the ICC on the applicability of the Law of the Sea and island disputes in the South China Sea.

**The Future of Human Rights in the International Order**

Many people say the jury is still out on what China’s effect will be on the world order. Perhaps it will be quasi-revisionist. If that is the case, then what are the prospects for the future of human rights in the liberal international world order?

One situation is that China will surpass the United States in economic power and then liberalize itself. The argument is that when countries get above $12,000-15,000 dollars a year in per capita income, and the middle class grows, the demand for civil and political rights grows. But recent articles in *Foreign Affairs*, for example, have said that we are being too naïve about this. Kurt Campbell argues that China is less free now than it was 10 years ago. Others say such a modernization process is matter of many decades, not a few.

A second possible future for human rights is that other large countries will take the lead on promoting and upholding them. Europe is the largest economy in the world when they act together (which is sometimes hard for them to do). India is a democratic $2 trillion-dollar economy. Indonesia, Brazil, and other countries may also take the lead on human rights. However, it is hard to see a country that will be in the position to overcome what Mearsheimer projects in terms of Chinese power.
A third future for human rights is what Beth Simmons writes about. Simmons says that institutions are “sticky”—that norms don’t go away. In some areas and for some issues that may be true, specifically in regional organizations. Look at the role the European Union has taken on privacy, specifically internet rights and privacy. It may be Europe that becomes a leader on data privacy and the ethical limits of AI. At the same time, China has announced it is using AI to develop a social credit scheme—including to monitor what everyone says on the internet—which will limit rights like getting on a plane or taking a train. So technology opens two very different avenues on privacy.

A fourth future for human rights is an irregular pattern: some areas will put an emphasis on certain rights while there may be a retreat on others. Take women’s rights as an example, especially with the rise of global feminism. This may be an issue that is “sticky” and continue to be important in Simmons’ terms. By contrast, R2P—responsibility to protect or to intervene when governments do not protect the rights of their people—may be dead. Some say we killed R2P in Libya—that when we allowed it to go from protecting citizens in Benghazi, to removing Ghaddafí from power—we made sure that Russia and China will never vote for an R2P authorization again. So we might see advancement on some rights, like women’s equality, while witnessing regression on others, like R2P.

Finally, a fifth possible future for human rights is that in a post-Trump world there is a resurgence of interest in human rights in American foreign policy, whether it be a Democratic or a Republican administration. A popular consensus might develop to put human rights back into U.S. foreign policy not with military intervention but with sanctions and soft power. Could the U.S. join with other human rights defenders to form a kind of G-10 of liberal democratic countries? Would this balance Chinese anti-liberal power? As Sikkink points out, it was other countries that helped put human rights on the international agenda after 1945, but U.S. power that helped to promote them with others.

What I have tried to do tonight is portray a long tableau from Roosevelt to Trump that combines American power and values. I develop this in more detail in my forthcoming book, Do Morals Matter? Presidents and Foreign Policy from FDR to Trump. Of course, we cannot know what comes after Trump or who the 46th president will be. But we do know the rise of Trump and the rise of China are calling into question whether the post-1945 liberal international world order which has sustained a human rights regime will continue to sustain it. And if it does sustain it, will it be perfectly sustained, or will some areas advance in comparison to others? I’ve given you a long sweep of history, questions about causation, and five potential futures but I think at this stage that is about as much as I can guess. I’d love to hear from all of you now.