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The Statesman's Dilemma: Peace or Justice? Or Neither?

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The Statesman's Dilemma: Peace or Justice? Or Neither?

Abstract

Just as I sat down to comment on President Obama and human rights, I glanced today's (November 19, 2009) The New York Times and found several opinion essays-careful in fact, thoughtful in tone, reasonable in argument-critical of Obama's approach during his recent visit to China toward Chinese human rights violations (mainly concerning Tibet but including also imprisoned lawyers, internet censorship, and persecution of Falun Gong.) The essayists considered various tactics for exerting American pressure on China regarding human rights. Common to all of them was a tone of rueful admiration for the political and diplomatic skill with which China fended off human rights criticism; indeed, such measures have been more or less successfully applied to a range of countries. For one example, this year Chinese pressure had some success regarding the composition of the program (which had China as its focus) of Germany's annual Frankfurt Book Fair.

Keywords

Human rights, Barack Obama, Policy, United Nations (UN)

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by **Henry Krisch**

Just as I sat down to comment on President Obama and human rights, I glanced today's (November 19, 2009) *The New York Times* and found several opinion essays-careful in fact, thoughtful in tone, reasonable in argument-critical of Obama's approach during his recent visit to China toward Chinese human rights violations (mainly concerning Tibet but including also imprisoned lawyers, internet censorship, and persecution of Falun Gong.) The essayists considered various tactics for exerting American pressure on China regarding human rights. Common to all of them was a tone of rueful admiration for the political and diplomatic skill with which China fended off human rights criticism; indeed, such measures have been more or less successfully applied to a range of countries. For one example, this year Chinese pressure had some success regarding the composition of the program (which had China as its focus) of Germany's annual Frankfurt Book Fair.

Seen from this perspective, the President's tactics in China were foreshadowed by his speech at the United Nations. Human rights were clearly not at the center of Obama's agenda there, although perhaps the UN General Assembly is not the best place to enunciate such concerns. He did point to early actions by his administration, such as the ban on torture and the pledged early closing of the prison at Guantanamo, and generally stood up for human rights principles. But strikingly, his major reference to actions promoting human rights instrumentalized them as needed for achieving the four main goals he had set forth earlier in the speech. He listed four main tasks confronting the world community: reduce then ban nuclear weapons; general peacekeeping, including the fight against al-Qaeda; the challenge of climate change; economic problems. Clearly, this is not a president for whom human rights advocacy is a very high priority. Why is this so? You will not find a meaningful answer to this question in the sneering and superficial attack by Bret Stephens in the *Wall Street Journal*. After listing what he sees as cowardly responses to human rights violations in China, Iran, Sudan, and Burma (Myanmar), he declares, "It takes a remarkable degree of cynicism-or perhaps cowardice-to treat human rights as something that 'interferes' with America's purposes in the world, rather than as the very thing that ought to define them."

Well, yes, these are unpopular regimes. Our government has denounced them and in some cases called them names for many years, but with what result? In President George W. Bush's first term, his then-Secretary of State, Colin Powell, branded Sudanese actions in Darfur as genocide. A decade later, has the genocide stopped? If Stephens is calling for more symbolic acts, then he might tell us why he expects them to be more successful now than in the past. If not, what actions does he (and do other, less hostile critics) propose? Who will call for American or NATO armed intervention in the countries listed above?

The central issue here is the one that underlies so many policy conundrums when it comes to implementing human rights in a complicated world of many interests, competing needs, and limitations of power: the choice between what may be called peace or justice. By "peace" I refer to restoring regimes of law after oppressive rule, abating both domestic, social, and ethnic, as well as international conflict, and enlisting a wide range of communities in such matters as dealing with global warming. By "justice" I mean calling violators of human rights to account,

setting a standard to which states (and non-state actors) should adhere, realizing social, economic and political rights through concerted action, by outside powers where the local population is powerless. Consider again the four priorities Obama listed at the UN. Which of them is unimportant? In which cases can we make progress without the cooperation of regimes that are human rights violators? How difficult it can be to translate the balance between these goals into specific actions was demonstrated in summer 2009 by the inconclusive UN debate regarding the "responsibility to protect." Who shall decide where and when protection is needed? Who shall provide the power to make protection real? Who will bear the cost in lives and goods to enforce protection in the face of resistance? What advice then to give President Obama regarding this difficult balance? I would suggest three modest steps: First, do what you can where you can and disregard universal consistency; second, link your criticism of human rights violations with the traditions and efforts of the people in a given country who are themselves fighting for change; finally, to the greatest extent possible, link our relations with this country with progress on human rights.

Professor Henry Krisch (Political Science emeritus, University of Connecticut) taught political science at the University of Connecticut and Columbia University for almost forty years. He has specialized in Soviet and German, especially East German, politics, and more recently in international human rights issues. At the University of Connecticut, Krisch was Director of the Center for Soviet and East European Studies, co-chaired the academic program committee for the Dodd Year (1995-96) on "Fifty Years After Nuremberg: Human Rights and the Rule of Law." Since 1999, he has been a member of the Gladstein Human Rights Committee. His publications include German Politics under Soviet Occupation (1974), The German Democratic Republic: Search for Identity (1985), Politics and Culture in the GDR (1989), Politics in Germany [co-authored] (2009), and "George Soros," in The Encyclopedia of Human Rights (2009).