Beyond Exceptionalists and Opportunists: A Proposition for an Unbiased Human Rights Diplomacy

by Michele Acuto

The issue of human rights strikes at the heart of global socio-political discourse, and assumes crucial relevance for diplomacy when considered with contemporary tendencies such as globalization, homogenization of cultures, and the rise of nationalism. Arguably, the most important role of diplomats is to assure peaceful interactions between actors in the international system, and prevent conflict amongst these actors, rather than merely promoting one's national interests at the detriment of peace. If this is truly the case, then the survival of the core element that ultimately constitutes such a system—humankind—is a key concern of diplomacy. Hence, the living conditions of the 6.6 billion individuals that inhabit the Earth, and their fundamental rights, must be seriously considered in mediation agendas of the third millennium. For this reason, human rights and diplomacy can be described as deeply interconnected in current global trends.

Presently, the international system faces two antithetical transnational forces. On one hand, there is globalization, the increasing interdependence and integration of socio-economic activities across the world,[1] and on the other, a prevalent rise in nationalist and sovereign claims emerging as a backlash to the growing net of transnational relations. States and local communities have reacted with 'isolationist' policies to the perceived westernization of their core elements, and an apparent neo-colonialist impetus aimed at global homologation. This is now widespread not only in non-Western contexts, but within the West, with calls from many sides—including academia and the media—to respect local cultures and avoid imperialism. Similarly, Western personalities, such as former US permanent representative to the UN Jeane Kirkpatrick, have rejected the idea that such interdependence can assume universal and a-cultural connotations, pointing out that

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moral equivalence between different units of the system is simply an "unrealizable myth."[2]

Within this international landscape, an individualization[3] dynamic has reached its peak in the post-Cold War period, as demonstrated by Thomas Franck. According to Franck, individuals now have more than one social affiliation, and their affiliative choices are taken increasingly autonomously.[4] Key contemporary trends—such as the communication and transportation revolution, universal education promotion, growing urbanization, and the continuing rise of the middle class—have "boosted the capacity for individual autonomy and, in consequence, fuelled the demand for more personal liberty."[5] Thus, since diplomacy is no longer limited to a mere state-centric perspective, and peoples are central elements in the processes of foreign affairs, this plea cannot be overlooked.

INTO THE GLOBALIZED FRAMEWORK: ACTORS AND PROMOTION STRATEGIES

The actors involved in human rights issues are both governmental and non-governmental. States, which were the predominant force in this framework during the Cold War, must now consider the role of civil society and supranational institutions that promote fundamental freedoms across the globe. This does not mean that states have diminished in their overall influence, as the contemporary role of the United States exemplifies; however, they have undeniably lost their monopoly on rhetoric and the survey of violations. To this respect, the "diplomatic milieu" can presently be described as currently inhabited by a mounting diversity of actors "which certainly poses a far more complex image of international interactions than does the traditional intergovernmental perspective."[6] Breaking with the traditional notions of diplomacy, the present global governance landscape is characterized by countless "multistakeholder arrangements" that construct the texture of world politics and organize multilateralism.[7] Government officials, either voluntarily or forcefully, are in turn required to partake in "global policy networks" that have been put in place through some of the aforesaid 'hybrid' modes of diplomacy, engaging what Geoffrey Wiseman called "polylateral level" of negotiation.[8] With that in mind, it is possible to highlight four categories of players in the global scenario:

1) State actors as promoters, e.g. the United States, and as violators, e.g. Iran, North Korea, and China.
2) Civil society actors, ranging from surveyors, e.g. Freedom House, to supporters, e.g. Realizing Rights, and advocates/scrutinizers, e.g. Amnesty International.
3) Supra- or trans-national actors, such as the UN, EU, and OECD.
4) Individual advocates, generally case-specific and representative of a particular demand, such as the Dalai Lama or Aung San Suu Kyi

Additionally, the global human rights movement, although not fully institutionalized, is intended to include all advocates of fundamental freedoms. Nonetheless, individuating this entity with precision is an arduous, if not vane, endeavor. Even if widely cited, the movement is hardly defined in its characteristics and tends to be identified solely with the part of global civil society that promotes human rights. In addition, almost no coordination exists within the movement, which is composed of actors from the four categories above, with a preponderance of NGOs, individual advocates, and supra-national institutions.[9] To this extent, several very different international and transnational actors gravitate within the very loose boundaries of the human rights community. Among these are explicit and consistent activist organizations, such as Amnesty International and Reporters Without Borders, and more erratic institutions such as the UN Human Rights Council, as well as think tanks such as Freedom House.

Thus, the movement is arguably a wide-reaching entity that groups various elements from the abovementioned four categories. Yet, its composition is an ever-changing one, and its agenda is often predicated on a loose, or strongly debated, list of liberal prescriptions. Despite the loose definition, it has been rightly argued by Kiyoteru Tsutsui and Christine Wotipka that "nongovernmental factors have been the engine of global expansion of human rights in the post World War II era."[10] Amnesty International and Human Rights Watch, for instance, have contributed in countless occasions to shift the global public attention to issues such as gender discrimination or torture, as in the case of the Guantanamo Bay campaign or HRW's awareness campaign on the 1994 Rwandan genocide. Likewise, NGO coalitions have proven their ability to move the complex global governance political machinery, fostering the creation of international law, such as in the case of International Campaign to Ban Landmines with the 1997 Ottawa Treaty banning anti-personnel mines. The following paragraphs will focus on the diplomatic tools that have been employed in this framework.

The means employed by various actors at promoting human rights are multiple and have been undertaken at very different levels. The most evident is international law and the upholding of multilateral covenants. Starting from the 1948 Universal Declaration of Human Rights, at least nine other treaties have been established dealing with the issue.[11] However, adherence to these documents, sanctioned by signatures and following ratification, is only a preliminary step on the road to compliance with such norms.[12] States often lack serious implementation efforts after becoming part of a treaty, shown for instance by the 1992 Migrant Workers Convention (MWC). Despite almost universal membership, it counts only thirty–six ratifications to date. Thus, the process of translating rights into domestic legal instruments and judicial procedures is often forgotten by states that ratify them as a "matter of window dressing, radically decoupling policy from practice" and, at times, exacerbating human rights abuses.[13] Overall, after the initial façade is put in place, few take serious measures to make it normative.

A second framework in which human rights issues are taken up is the bilateral

framework, not necessarily as a core issue, but usually as a side topic or bargaining tool. Violations accusations can be raised alongside other seemingly unrelated policy areas (such as trade negotiations) and human rights regulations can come into play as an instrument to achieve other goals. Additionally, related issues are now tackled in fora beyond the usual state-to-state venues. The EU Human Rights Dialogues and Consultations, and the EU-Russia and EU-China Summits, are some recent examples of multilateral-to-governmental interactions between unconventional non-state entities and more classic diplomatic officers.[14]

Another means for human rights promotion is international advocacy, aimed either at reaching global agreements, or at pointing out violations. The NGO sector employs the most advocacy methods, scrutinizing individual countries' records, as in the cases of institutions such as Freedom House or Amnesty International.[15] Freedom House's yearly report, for instance, has become a customary reference for all the practitioners in the sector—either governmental or private officers—to evaluate annual performances and trends in relation to human rights issues, such as freedom of the press or fair voting mechanisms, offering a reliable source of data and a powerful instrument of public diplomacy.

A vast array of actors has also used the practice of shaming to expose violations perpetrated against civilians. Although this is, per se, a useful diplomatic means, its usage can be differentiated by using John Braithwaite's distinction between reintegrative shaming and stigmatization as methods of response to violence and crime.[16] The former, of which diplomatic actors such as the UN and the United States are examples, is a method of communicating disapproval "within a continuum of respect for the offender,"[17] while the latter, which is more characteristic of non-governmental institutions, assumes disrespectful and unforgiving tones. Shaming techniques can be directly successful, especially in multilateral settings like the monitoring committees instituted under UN human rights covenants, but are also a relevant part of public diplomacy efforts. This

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reintegrative approach is usually aimed at pressuring the violators in terms of "moral consciousness-raising" or at empowering "the claims of domestic opposition groups."[18] In particular, governmental and intergovernmental agencies have used unilateral means to testify on perceived abuses, and to raise national (and in some cases regional) awareness on various infringements.[19] An example is the annual US Department of State "Country Reports on Human Rights Practices" tailored to annually evaluate other states' performances: for instance, the 2000 report on China (published in February 2001) extensively employed a shaming jargon to highlight many of the abuses in China, which has been reiterated in more recent editions such as the 2006 country report.[20] By contrast, the goal of stigmatization is to put unconditional stress on the unlawful government, both from within the country and

through transnational networks, eventually coercing the leaders to end repressive practices or face popular uprisings, like the Dalai Lama's promotion of Tibetan self-determination or Amnesty's "Fire Up" campaign for the Universal Declaration of Human Rights.

In the context of reintegrative shaming, an often-overlooked 'gray zone' between human rights and diplomatic practice is the domain of public diplomacy. Public diplomacy differs fundamentally from traditional state-to-state schemes of diplomatic activity because its targets are not solely the officers of other international entities, but mostly foreign populations or, more generally, the wider public. In a broader theoretical understanding, public diplomacy is an instrument of soft power that utilizes means of communication to spread a message amongst individuals instead of materially coercing them. The realm in which it takes place is less regulated by protocols and leaves much space to maneuver for a number of different applications. Although this description might suggest that this set of interactions can do no harm, in reality, the misuse of public diplomacy has created hazardous effects at a global level, especially when mixed with essentially self-interested analyses of global affairs.

The most dangerous interpretation of public diplomacy is perhaps the one that derives from a realist viewpoint. Through this understanding, diplomatic activity becomes a form of propaganda, as it is exclusively used to protect and promote national interests. In this sense, the dissemination of information is employed to build images, increase foreign support, and make use of reputation as a force-multiplier. Thus, propaganda becomes nothing more than another capability on the international balance-of-power chessboard, with the most influential actors on the global scene engaging in propaganda wars (as evidenced on the eve of World War II by the German Reich in its attempt to promote an expansionist policy for a greater Lebensraum and to support the annexation of Austria, and by the United Kingdom's Foreign Office in its depiction an aggressive image of the Nazi threat). Similarly, analogous practices have been employed by both US and USSR foreign affairs ministries seeking to establish spheres of influence on the basis of an ideological split. Consequently, propaganda and public diplomacy have been treated as synonyms, as they were understood in the 1950s. However, this equation is not limited to these historical cases, since the realist paradigm still plays a dominant role in the decision-making units of many international actors, leading many scholars, such as Geoffrey Berridge, to define public diplomacy as a "modern euphemism for propaganda."[21]

Bearing that in mind, the United States' policy after September 11, 2001, is a recent example of realist public diplomacy that seeks the promotion of liberal systems of governance. This held especially true towards Arab countries, where the Bush Administration tried to split societies in order to "win the hearts and minds" (in the words of the State Department) of the Muslims not involved in the jihadist struggle.[22] The spread of messages with a highly fabricated content has been based on the understanding that, as Republican Congressman Henry Hyde put it, the

"perceptions of foreign publics have domestic consequences." By paying more attention to the images projected abroad, and hiring expert marketers such as Charlotte Beers in the ranks of the State Department, the White House has tried to fight the waves of anti-Americanism with censorship and counterpropaganda.

However, after seven years, the US appears to be losing the propaganda war. The reasons for this debacle can be found within the two main factors that the realist perspective has overlooked while putting in place its public diplomacy—culture and credibility. As R.S. Zaharna recently pointed out, US policy has backfired due to the lack of cultural neutrality in its messages. Further, several preconceptions about the necessary format through which these were meant to be delivered have marked the 'American way' to communicate to Islamic audiences.[23] Therefore, the interest-oriented calculations and the propagandistic assumptions of the State Department created more divergence than agreement. Moreover, the media has been labelled across the Arab world as pro-American and tendentious, undermining their credibility and the supposed independence of sources such as Voice of America, which have in turn provoked uprises in nationalist sentiments.[24]

Lastly, a crucial area of interplay between human rights and diplomacy is the ground of foreign policy where tensions between advocates of universal freedoms and promoters of communitarian sovereignty are at their peak. As Mary Robinson pointed out, "there is an increasing recognition that if fundamental rights are to be implemented, it is essential to ensure that obligations fall where power is exercised."[25] And the arena in which this happens is the globalized milieu of world politics.

Now that we have defined the contemporary context of human rights diplomacy through its internal dynamics and the actors that reciprocally engage within these, we must now consider the relationship between human rights and foreign policy in the outlined framework.

THE INTERPLAY BETWEEN FOREIGN POLICY AND HUMAN RIGHTS

Rein Müllerson describes human rights diplomacy as, "the use of foreign policy instruments in order to promote human rights, as well as the use of human rights issues for the sake of other foreign policy aims."[26] In this definition lies the dual relationship between human rights and diplomacy, and the reason for the aforesaid rejection by non-Western actors. Hence, to understand how the practice of human rights mediation could be improved, it is initially necessary to expose the fallacies of the current approach.

First, the usage of human rights rhetoric has, for the most part, been biased. Many actors that endeavored, or pretended to pursue this promotion, have done so for purposes other than improving harsh living standards. For instance, numerous Western countries have pointed their fingers at China or Russia, not for the sake of the Chinese or Russian peoples, but for so-called national interests.[27]

Furthermore, human rights discourse has been marketed to the wider public to provide an alibi, employing this rhetoric in a similar way to the one used for

humanitarian interventions—band-aid solutions used to cover the initial lack of political (or material) will to act in prevention of serious abuses. To this extent, the use of foreign policy instruments, diplomacy in particular, has been reactive rather than pro-active. Governmental human rights diplomacy has, so far, been aimed at dealing with the consequences of violations, while causes have usually been exposed by civil society actors or independent think tanks, as shown for instance, in the difference in approaches between Human Rights Watch and the US State Department towards women's conditions in Saudi Arabia.[28]

In addition to this inherent tension between advocates of human rights, the predominant reactive line on rights violations has become grounded in a dangerous and confusing mix of goals resulting from the spread of the Democratic Peace Theory in Western society. More and more frequently, means (such as market economy and elections) have been mistaken for ends (rights enhancement), creating a perilous equation between democracy, development, and fundamental freedoms.[29]

Human rights discourse, especially by governmental actors, has been politicized at best, with frequent use of propaganda. This has taken place either to draw a line between a civilized 'us' and the benighted 'them,' or to promote the so-called "global democratic revolution"[30] against the "forces of tyranny and terror."[31] By employing this type of reactive and selective rhetoric, the White House has shifted its target from the promotion of human rights in oppressive regimes to the War on Terror in the years after 9/11. The Bush administration has maintained human rights discourse as a foreign policy instrument; however, it has done so not by promoting an unbiased understanding, but instead, by compromising human rights in favor of the War on Terror.[32]

Under this perspective, human rights diplomacy has been selective and contextual, targeted towards particular cases such as the North Korean regime, rather than being engaged in the spread of collective norms. Hence, even if the efforts of the global human rights movement have led to the creation of several universal covenants as described above, the application of these have been far less than rigorous, with a poor usage of accountability mechanisms such as independent monitoring commissions, international legal instruments, and ad hoc governmental summits.

Finally, the employment of the aforementioned practice of shaming has been hackneyed precisely because of the indiscriminate focus on reacting, rather than promoting and condemning. This reasoning applies to both governmental and civil society actors, and can explain why the colossal amount of violation accusations against numerous countries has resulted in little improvement. Joseph Nye claims that, thanks to the communication revolution, the practice of shaming is widely employed to point out abuses and hold accountable international (or governmental) institutions, and can be undertaken by a range of very different actors, even by small groups of consumers against transnational corporations.[33] China, of course, is the poster-child for this, but an analogous case can be made for Russia, Saudi Arabia and, perhaps, Turkey. As Alan Wachman pointed out:

> *Human rights advocates have sought to shame the government of the People's Republic of China (PRC) into compliance with 'universal' norms. For more than a decade foreign critics have tried to give the PRC the diplomatic equivalent of a black eye.*[34]

However, the Western punch has not proved to be efficacious in putting China on the right track, but rather, has continuously reinforced pre-existing rigidities.[35] Even if there has been some improvement in Chinese compliance with universal covenants, these stemmed not from internalized behaviors, but rather from an increased ability by the PRC to offer gestures, and concede lesser recognitions. In other words, the West-China dialogue on this issue has continuously clashed with Beijing's notion of the responsibility of the state for individuals and the Communist Party's sensitivity to sovereignty threats.[36]

Despite these considerations, it is necessary to highlight a phenomenon that has so far been neglected in the academic literature on fundamental rights. Even if human rights rhetoric is employed by many actors as a political tool to pressure others, or shame adversaries, the behavior of accusers (or prosecutors) leads to "the emergence of certain norms and even practices, which may really start to affect governments' policy"[37] and as self-fulfilling prophecies, they become a relevant part of requests by sub-national or supra-national networks. Müllerson has called this the hypocrisy trap, and Kiyoteru Tsutsui has defined it as a paradox of empty promises. Together these ostensibly divergent characterizations highlight a similar crucial point. That is, "civil society actors can often turn the empty promises by national governments to produce a global paradox—improvement in human rights practices."[38]

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BEYOND EXCEPTIONALISM AND RHETORIC

It is not always self-evident that human rights are "a fact of the world."[39] This is a soundly challenged assumption, often considered biased and westernized. So how can freedoms be fundamental and submitted to the hypocrisy trap if they are in the end not universal at all? To fully understand this paradox, one must first detach oneself from the stereotypical notion that human rights, as an altruistic value, are essentially Western. Case in point is, for instance, the Singaporean Government's "Shared Values" doctrine, which identifies an attack on the Asian cultural basis of the Singaporean state.[40] Such a view is prejudiced and tainted by false claims of cultural exceptionalism, and fosters already lingering anti-Western resentments that rest on the false assumption that the "West" is a homogeneous united bloc.

It is misleading to assert that human rights promote a form of imperialism, since fundamental freedoms are not opposed to local communities. Instead, they represent transnational claims, and aspire to become a global safety net applicable to all. Thus, as they represent requests for personal autonomy and freedom of affiliation, to authoritarian rulers, human rights are threats to the establishment, and ought to be

opposed with assertions of cultural relativism. This is often the case of the many "inauthentic perversions of religious dogmas" that "hijacked Islam" and brandished cultural exceptionalism against a colonizing West.[41]

In this context, the role of diplomats is to go beyond such condemnations, and expose, as Thomas Franck called, "those [who advance] the exceptionalist claim [and] do not genuinely and legitimately represent those on whose behalf that claim is made."[42] For example, as noted by Alan Wachman, diplomats should engage civil societies as their action "from below" are far more effective than any outside pressure.[43] This 'oblique' mode of human rights promotion has been a characteristic of the European Union's approach to democracy and political rights, and has often been paired with development aid. To this extent, the link development-freedom has been reiterated by many key scholars in various fields varying from political science to economy and diplomacy: despite a very limited amount of cases (such as China), the vast majority of countries that have experienced a marked economic growth in the last decades have seen a rise in civil society participation and political rights respect.[44] The case of the Swedish International Development Agency (SIDA), amongst others, can be a guide here: this semi-governmental agency has actively fostered a "mixed political culture" offering funding and educational support to those civil society groups that seek political access in semi-authoritarian or oppressive countries. Similarly, the EU Commission's humanitarian directorate-general (ECHO), has endeavoured in case-specific activities aimed at improving specific rights and democratic features, rather than undertaking a promotion model that treats these 'good governance practices' as a monolithic bloc, as often is the case with the American agency USAID.[45]

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In light of this approach, human rights diplomacy must promote the development of individuals constrained behind these unrepresentative allegations. Moreover, it must do so universally, detaching its rhetoric from more political areas. Foreign policy instruments have to be employed for human rights purposes, and not vice-versa. Improper applications of human rights arguments as bargaining tools and the overuse of shaming methods, especially in a selective and contextual way, seriously threaten the credibility and spread of international norms.

Although globalization and it accompanying trends continue to challenge the legitimacy of totalitarian institutions, we should not expect this process to achieve results by itself. Advocates and diplomats engaged in this crucial challenge need to detach human rights from conditionality, and promote them across cultures, not as a doctrine, but as opportunities that "belong inherently to each individual, and are not conferred by, or subject to, any governmental authority."[46] Undeniably, human rights rhetoric is sweeping across the landscape of world politics; within this framework, the role of diplomats has to be detached from secondary purposes. As long as state

actors employ a language of rights for national interests and interpret means as goals, little advancements will be made and claims of exceptionalism will become stronger and louder. As Makau Mutua wrote in a recent issue of the *Harvard Journal of Human Rights*, "A truly legitimate human rights movement cannot be cabined by powerful states and elites. It must be material for battle in the hands of the powerless."[47] In short, human rights diplomats will have to detach themselves from their governmental stances, using the art of mediation in a field that goes beyond foreign policy considerations, and is universal in its purposes.

Notes

[1] In this essay I describe globalization as a set of processes fostering social interdependence, aligning with the interpretations given, amongst others, by former Irish President Mary Robinson and Harvard Professor Amartya Sen, borrowing from the latter the stance that globalization is "neither new nor necessarily Western, and it is not a curse." Cf. Amartya Sen, "Does Globalization Equal Westernization?" *The Globalist* (March 25, 2002): 30, and Amartya Sen, "How to Judge Globalism." *The American Prospect,* vol. 13, no. 1 (Winter 2002): 2. Also see Mary Robinson, Human Rights and Ethical Globalization" (Tanner Lecture on Human Values, Stanford University, 2003).

[2] Jeane Kirkpatrick, "The Myth of Moral Equivalence." *Liberty Heaven/Imprimis*. 15:1 (January 1986). This approach has been echoed by many contemporary American republicans.

[3] The term has its origins in a pejorative description employed by Saint Simonian socialists to identify what they saw as the root cause of the disintegration of the French society after the 1789 revolution, and has been adopted in a positive sense by the classical liberal tradition to promote a disengaged governmental approach ("laissez-faire") or underlying processes of individual autonomy. This second interpretation, present in sociological works by Simmel and Tönnies, is the main perspective undertaken here.

[4] Thomas M. Franck, "Is Personal Freedom a Western Value?" *The American Journal of International Law* 91, no. 4 (October 1997): 593.

[5] Thomas M. Franck, "Are Human Rights Universal?" *Foreign Affairs* 80, no. 1 (2001): 201.

[6] Brian Hocking, "Privatizing Diplomacy?" *International Studies Perspectives* 5, no. 2 (2004): 147.

[7] Shapard Forman and Derk Segaar, "New Coalitions for Global Governance: The Changing Dynamics of Multilateralism." *Global Governance* 12, no. 2 (2006): 205-225.

[8] See, respectively, Wolfgang H. Reinecke, *Global Public Policy: Governing without Government?* (Washington DC: Brookings Institution, 1998); and Geoffrey Wiseman, "'Polylateralism' and New Modes of Global Dialogue" in Christer Jönsson and Richard Langhorne (ed.), *Diplomacy* (London: Sage, 2004), pp.36-57.

[9] See for example Jimmy Carter, "New Frontiers for the Human Rights Movement." *Harvard Human Rights Journal* 20, no. 1 (Spring 2007): 1; and Jill Crystal, "The Human Rights Movement in the Arab World." *Human Rights Quarterly* 16, no. 1 (1994): 435.

[10] Kiyoteru Tsutsui and Christine Min Wotipka, "Global Civil Society and the International Human Rights Movement: Citizen Participation in Human Rights International Nongovernmental Organizations." *Social Forces* 83, no. 2 (December 2004): 587.; and Laurie S Wiseberg, "Human Rights Nongovernmental Organizations" in Richard Pierre Claude and Burns H. Weston (eds.), *Human Rights in the World Community: Issues and Action* (Philadelphia: University of Pennsylvania Press, 1992), p. 375.

[11] I consider here the 1966 CERD, ICCPR and ICESCR, 1979 CEDAW, 1984 CAT, 1989 CROC, 1992 MWC, and 2006 CRPD and CPAPED. For a list of acronyms see www.unhchr.ch

[12] As pointed out, for instance, in Thomas Risse, Steve C. Ropp, and Kathryn Sikkink, "The Power of Human Rights: International Norms and Domestic Change." *Cambridge Studies in International Relations* No. 66 (Cambridge: Cambridge University Press, 1999).

[13] Emilie M. Hafner-Burton and Kiyoteru Tsutsui, "Human Rights in a Globalizing World: The Paradox of Empty Promises." *American Journal of Sociology* 110, no. 5 (2005): 1373.

[14] This is a good example of the recent evolution of the complex world of diplomacy. For more on the emergence of this "new" diplomacy see, amongst others, Shaun Riordan, *The New Diplomacy* (Oxford: Polity Press, 2003); and Jorge Heine, *On the Manner of Practising the New Diplomacy*, CIGI Working Paper on Reshaping Diplomacy, (Waterloo: Centre for International Governance and Innovation, October 2006).

[15] Yash Ghai, "Human Rights and Governance: The Asian Debate." *Occasional Paper Series No.1*: The Asian Foundation's Center for Asian Pacific Affairs, November 1994, p.2.

[16] Although oriented towards criminology, these sociological concepts are transferable to the fields of international law and diplomacy, and has to date been used in various studies. Cf. John Braithwaite, *Crime,*

Shame and Reintegration (Sydney: Cambridge University Press, 1989).

[17] Braithwaite, *Crime, Shame and Reintegration*, p.12.

[18] See Risse, Ropp & Sikkink, *The Power of Human Rights*, p.5.

[19] Perhaps one of the best accounts of the efforts of human rights activism across borders can be traced in Margaret E. Keck and Kathryn Sikkink, *Activists Beyond Borders: Advocacy Networks in International Politics* (Ithaca, N.Y.: Cornell University Press, 1998).

[20] Respectively available at http://www.state.gov/g/drl/rls/hrrpt/2000/eap/684.htm, and at http://www.state.gov/g/drl/rls/hrrpt/2006/78771.htm

[21] Geoff Berridge, *Diplomacy: Theory and Practice* (Bashingstoke: Palgrave Macmillan, 2002).

[22] Andrew F. Krepinevich, "How to win in Iraq," *Foreign Affairs* 84, no.5 (September/October 2005): 93.

[23] See R.S. Zaharna, "The Unintended Consequences of Crisis Public Diplomacy," *Foreign Policy in Focus* 8, no. 2 (June 2003).

[24] On this 'backlash' against the promotion of the liberal democratic model see, amongst others, Michele Acuto, "Wilson Victorious? Understanding Democracy Promotion in the Midst of a Backlash," *Alternatives* 33, no. 4 (December 2008), pp. 2-30.

[25] Mary Robinson, *Human Rights and Ethical Globalization* (2003).

[26] Rein Müllerson, *Human Rights Diplomacy*. (London: Routledge, 1997), p.2.

[27] For instance, in a 2000 campaigning piece, US Secretary of State Condoleezza Rice accused the previous administration of confusing the general humanitarian interests with more relevant national interest priorities. See Condoleezza Rice, "Promoting the National Interest." *Foreign Affairs* 79, no. 1 (2000): 45-46.

[28] The State Department has, in this instance, tended to point out singular cases rather than the Saudi system itself, also due to the need to maintain stable diplomatic relations with a key strategic partner in a difficult area as the Middle East. Cf. *Human Rights Worlds Report 2008*, available at www.hrw.org/wr2k8/

[29] Cf. Jack Donnelly, "Human Rights, Democracy and Development." *Human Rights Quarterly* 21 (1999): 632.

[30] With this term President Bush portrayed, in a speech at the National Endowment for Democracy, the US-led effort in Iraq as a continuation of Reagan's policy towards Eastern Europe, as reported by Fred Barbash in *The Washington Post*, 6 November 2003.

[31] President George W. Bush. "Speech at Fort Hood, Texas." 25 April 2005, available at www.whitehouse.gov/news/releases.

[32] This shift has been described, amongst others, by Kathleen L. Roberts, "The United States and the World: Changing Approaches to Human Rights Diplomacy under the Bush Administration." *Berkeley Journal of International Law* 21, no. 3 (2003): 631-32.

[33] Joseph S. Nye, "Globalization's Democratic Deficit: How to Make International Institutions More Accountable." *Foreign Affairs* 80, no. 4 (2001): 2-6.

[34] Alan M. Wachman, "Does the Diplomacy of Shame Promote Human Rights in China?" *Third World Quarterly* 22, no. 2 (2001): 257.

[35] Ibid, p.259.

[36] Qi Zhou, "Conflict over Human Rights between China and the US." *Human Rights Quarterly* 27, no. 1 (2005): 118-19.

[37] Müllerson, *Human Rights Diplomacy*, p.35.

[38] Hafner-Burton and Tsutsui, "Human Rights in a Globalizing World," p.1402.

[39] Richard Rorty, "Human Rights, Rationality and Sentimentality," in *On Human Rights* (the Oxford Amnesty Lectures 1993), ed. Stephen Shute and S. L. Hurley (New York,: BasicBooks, 1993), p.134.

[40] Singapore Government, *Shared Values*, Cmd 1 of 1991, cited in Ghai, "Human Rights and Governance," p.11.

[41] Franck, "Are Human Rights Universal?" p.198.

[42] Franck, "Are Human Rights Universal?" p.196.

[43] Wachman, "Does the Diplomacy of Shame Promote Human Rights in China?" p.277.

[44] See, for instance, Donnelly, "Human Rights, Democracy and Development," and Amartya Sen, *Development as Freedom* (Oxford: Oxford University Press, 1999).

[45] On the difference between the EU's "oblique" approach and the US' promotion record, see Acuto, "Wilson Victorious?" pp.470-72.

[46] As stated by UN Secretary-General Kofi Annan, UN Press Release SG/SM/6301, 13 August 1997.

[47] Makau Mutua, "Change in the Human Rights Universe." *Harvard Human Rights Journal* 20, no. 1 (Spring 2007): 5.