

and military aid to several Latin American countries, as well as to Ethiopia and the Philippines, was prohibited or reduced.

Questions have been asked in Washington about the criteria by which certain countries have been chosen for special treatment, when others, which might be thought to have engaged in gross and persistent violation of human rights, were apparently exempt; similarly, the practice of the UN General Assembly of concentrating attention on South Africa, Israel and Chile has prompted the allegation of a "double standard". However the implication that a single standard of judgment can be rigorously applied ignores political realities.

Elastic notion

The conception of human rights is elastic, encompassing such ideas as the self-determination of peoples, equal rights of men and women, equality before the law, genuine elections, anti-slavery, privacy and an adequate standard of living. For this reason, priorities are difficult to establish. By and large, non-Western states attach greater significance to violations of economic and social rights. They tend to believe that Western notions of civil rights and democracy are reflections of religious traditions or of economic conditions they do not share. They are inclined to emphasize the priority of satisfying basic human needs.

Western states, while not denying the intimate connection between human needs and human rights, are inclined to place more emphasis on respect for the rights of persons as citizens. There is a rough consensus that basic or fundamental rights relating to the security of persons or groups (torture, genocide, etc.) are of universal concern whatever the stage of development of a country or of its cultural history, though there is some disposition to excuse violations of such rights under certain circumstances. Moreover, the practice of racial discrimination is seen by many governments as a peculiarly Western (or white) habit, derived from the centuries of European dominance. It is this perception that gives to the situation in South Africa its special character, in addition to the fact that no other country claims *legally* to defend racial discrimination.

Finally, there is no agreement on what is meant in practice by "gross and persistent" violations of the rights of individuals, and there are no accepted criteria by which to make judgments. One might say that the common law of mankind is still in its infancy. The actions of the UN in this respect reflect political, not moral or legal, intentions.

Despite these uncertainties, a gradual

assimilation of concerns about human rights into the foreign policies of states appears to be occurring. The spread of technology, the universal acceptance of the idea of "development", the need for international co-operation on more and more subjects previously the exclusive concern of national governments, are factors tending to erode such notions as sovereignty and institutional legitimacy. No government can mistreat large numbers of its citizens and expect its relations with other governments to remain unaffected, nor can it escape the effects on its own domestic authority. It is true that other states can usually do no more than limit the damage caused to human rights under repressive regimes. Economic sanctions may have little effect, for example, unless they are universally observed, nor is the UN likely to order such sanctions except in the case of an overriding threat to international peace and security (the case of Rhodesia in 1966 may be the exception that proves the rule).

But the fact remains that the moral disapproval of Western opinion and some willingness by Western governments to act in response to such disapproval, especially if accompanied by domestic resistance to oppression, have had and continue to have positive consequences in many countries. No situation is exactly like any other and therefore no single prescription is generally appropriate. Action by the United States, for example, will usually have more weight than action by other Western countries. In some cases (Europe is the best example), regional machinery is available and is used to good advantage.

The influence of UN agreements and machinery on the climate of human rights is probably less significant than action taken by states unilaterally, even though some 20 treaties have come into force under UN auspices. The two major covenants of 1966 referred to above have been ratified by fewer than 50 states, and the Human Rights Committee, an expert body that is required to monitor the performance by states of their obligations under the Covenant on Civil and Political Rights, and may receive complaints both from individuals and from governments, has yet to establish its authority.

In the case of the Commission on Human Rights, an intergovernmental body, the record over the past few years regarding the protection of human rights has been poor. This is partly because procedures instituted in 1970 to allow complaints to be made confidentially have diminished the threat of publicity for the actions of repressive regimes, even though the purpose of the procedure - to stimulate individuals to

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