

IMT Institute for Advanced Studies, Lucca
Lucca, Italy

The Human Rights Diplomacy
The Carter Presidency and the Relationship with Brazil
(1977-1981)

PhD Program in Political Systems and Institutional Change
XXIV Cycle

By
Simona Losito
2013

The dissertation of Simona Losito is approved.

Programme Coordinator: Giovanni Orsina, IMT Lucca

Supervisor: Mario Del Pero, Università degli Studi di Bologna

Tutor: Maria Elena Cavallaro, IMT Lucca

The dissertation of Simona Losito has been reviewed by:

Prof. Mario Del Pero, Università degli Studi di Bologna

Two anonymous external referees

IMT Institute for Advanced Studies, Lucca

2013

Table of contents

TABLE OF CONTENTS.....	v
ACKNOWLEDGEMENTS	viii
ABSTRACT	ix
1. INTRODUCTION	1
1.1 How human rights entered the political discourse in the 1970s.....	7
1.2 What attitude toward Brazil before the Carter presidency?.....	16
2. THE ELECTION OF JIMMY CARTER AND THE SET-UP OF THE HUMAN RIGHTS POLICY.....	22
2.1 The first official speeches.....	22
2.2 Patricia Derian and her staff.....	29
2.3 Presidential Review Memorandum 28 and Presidential Directive 30.....	34

2.4 Jimmy Carter and Latin America.....	44
2.5 The United States and Brazil in the late 1970s.....	58
3. CARTER SWORN INTO OFFICE: THE DIPLOMATIC CRISIS ARISES.....	65
3.1 The nuclear issue.....	65
3.2 The human rights report.....	73
4. THE 1977 U.S. DIPLOMATIC VISITS AND THEIR SIGNIFICANCE.....	82
4.1 June 1977: Rosalynn Carter's trip to Brasilia and Recife.....	82
4.2 The aftermath of Rosalynn Carter's trip.....	93
4.3 The Memorandum of Understanding in force: Cyrus Vance's trip to Brasilia.....	100
5. 1978: THE HUMAN RIGHTS POLICY AFTER THE FIRST YEAR OF PRESIDENCY.....	120
5.1: Preparing President Carter's visit to Brazil.....	128
5.2: Jimmy Carter in Brasilia and Rio de Janeiro: March 29.31, 1978.....	140
5.3: The aftermath of President Carter's visit.....	161
5.4: The remainder of 1978.....	183

6. 1979: A TURNING POINT FOR THE BILATERAL RELATIONSHIP.....	199
6.1: João Baptista Figueiredo: new priorities and new challenges.....	204
6.2: March 1979: Walter Mondale meets João Figueiredo.....	211
6.3: The Brazilian liberalization process and the path toward democratization.....	216
6.4: The ending of 1979 and 1980.....	220
 7. CONCLUSIONS: SOME REFLECTIONS ON JIMMY CARTER'S HUMAN RIGHTS DIPLOMACY.....	 226
 BIBLIOGRAPHY.....	 236

Acknowledgments

I am grateful to many persons I wish to thank here.

First of all, Mario Del Pero, great historian, whose comments, reviews and suggestions have been precious during the drafting of this thesis. It was a lucky opportunity to work with him.

Then, I have to thank my family: my mother, who taught me that dreams must be nurtured with passion; my father, who taught me that perseverance is the best way to make dreams come true; and Tarita, who always supported and encouraged me.

Finally, I want to thank Marco who, with love and patience, has read and commented upon every page of this dissertation. His presence in my life makes me feel stronger and more determined.

Thanks also to the IMT community for the three beautiful years spent together.

Abstract

This work intends to shed light on the historical issue of the bilateral diplomatic relations between the United States and Brazil during the years of the Carter's presidency and, more specifically, on the way the human rights issue affected this relationship.

When Jimmy Carter took office in 1977, in the Southern Cone countries, namely Chile, Paraguay, Uruguay, Argentina and Brazil, fundamental civil and political liberties of citizens were systematically restricted or denied. The new presidential administration of the U.S. could not either ignore or tolerate those abuses. The fact that the United States and Latin America shared political and historical traditions, and participated in the same hemispheric defense system, substantially added to the view that the United States was obliged to promote human rights in this region. Carter's primary and immediate aim in foreign policy seemed to be regaining U.S. moral authority.

In the multifaceted world of *détente* and developing countries, the United States had to prove its primacy not only in the international economy, in the military capabilities, in the security systems, but had to prove of deserving that status, had to show of being promoter of values and ideals too.

To advance human rights worldwide, and especially in Latin America, was the major tool that the Carter administration meant to use in its foreign policy. Since the beginning of its electoral campaign, Carter rejected the Nixon-Ford-Kissinger's diplomatic style: the *Realpolitik* adopted in those years did not contemplate to raise human rights, because human rights promotion jeopardized other foreign policy goals. The new Democrat administration offered a clear break with the past practices, supporting and reinforcing the Congressional activity implemented since the early 1970s. The discussion on human rights abuses in the context of U.S. legislation

and policy became relevant, and human rights issues started to be raised regularly and vigorously in diplomatic channels. Moreover, the new administration did not mean to adopt a univocal human rights diplomacy toward Latin America, but would rather adopt a country-by-country stance. When the Carter administration set forth its own definition of human rights, it clearly had in mind the international framework that was slowly but efficiently implemented throughout the thirty years after the end of World War II: the UN Charter (1945); the Universal Declaration of Human Rights (1948); the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (both entered into force in 1976); and finally the American Convention on Human Rights – or Pact of San Jose – signed by the member states of the OAS in July 1978.

The introduction of the thesis focuses on the way human rights entered the political discourse in the 1970s and on the attitude the U.S. government had toward Latin America, and Brazil in particular, in the first 1970s. Jimmy Carter immediately brought something new in the U.S. rhetoric since the weeks of the electoral campaign.

The major part of this work attentively describes step-by-step the deep evolution that the bilateral relations experienced through the four years: the sudden deterioration in the bilateral relations between the U.S. and Brazil, following the release of the human rights report on Brazil elaborated by the State Department, the consequent estrangement of the first months, that was repaired in less than one year thanks to the extraordinary effort that President Carter and his staff put to re-establish a dialogue with the Brazilian government. The availability of recently declassified diplomatic documents, collected both in U.S. and Brazilian archives, has allowed to analyze in detail all the diplomatic initiatives put into practice by the Americans. Brazil in the years of its liberalization process, and after fifteen years of military regime, badly tolerated the

U.S. interference in its internal affairs, but never interrupted the diplomatic relations and, indeed, Brasilia looked for an equal relationship with Washington. The thesis devotes particular attention to the high-level meetings that took place between June 1977 and March 1978: Rosalynn Carter's trip to Brasilia and Recife (June 1977); Secretary Vance's voyage to Brasilia to participate in the talks within the framework of the 1976 Memorandum of Understanding (November 1977); and finally President Carter's diplomatic visits in Brasilia and Rio de Janeiro (March 1978). Besides the detailed description of the events, the thesis takes always into account the wider international scenario and always makes the effort to insert the bilateral events in the more complex Cold War system in the years of *détente*.

Emphasis is given to 1979 as a turning point in the U.S.-Brazilian relations: João Baptista Figueiredo inaugurated his presidency in March 1979 and he would be the last President of the military regime. The new Brazilian President started immediately the liberalization process that, in six years, would lead Brazil toward a democratic regime. This change in the domestic political situation of Brazil deeply influenced also the diplomatic dialogue with Washington. On the other hand, 1979 was a demanding, difficult year for the United States as well: the second oil shock, the Iran hostage crisis, the Soviet invasion of Afghanistan, plus the electoral campaign for the 1980 presidential elections forced the Carter administration to divert its attention from the human rights diplomacy.

Carter's foreign policy, often described by the historiography as ineffective and too idealistic, is definitely re-evaluated in this dissertation: the choice of using idealism as a political tool was motivated by a realistic and pragmatic approach. The choice of making human rights a pivotal political discourse was strategically significant both for internal and international reasons. Human

rights were an issue warmly supported by the Congress, that received wide support from both wings of the Democratic party, that the public opinion acclaimed, and that internationally could prove -also in the years of *détente*- the ideological primacy of the United States with respect to the Soviet Union. Taking into consideration all these aspects, Carter's idealism proves to be incredibly realistic. Jimmy Carter, despite the often criticized inexperience in international affairs, proved to have very clear in mind how to deal with the post-Vietnam, post-Watergate U.S. disillusion. Throughout the thesis this aspect emerges very clearly. Moreover, as regards the specific analysis of the U.S.-Brazilian relationship, Carter never forgot how strategically relevant Brazil was in the hemisphere as well as in the North-South dialogue, but nevertheless never stopped to raise the human rights issue and made the topic widely debated even outside the Brazilian borders. Jimmy Carter was a President who tried to give the U.S. foreign policy a new course and to overcome the Cold War bipolar logic.

1. INTRODUCTION.

Jimmy Carter entered into office as 39th President of the United States on January 20, 1977. President Carter's mandate was just of four years, in January 1981 he had to leave the White House after losing the electoral challenge against Ronald Reagan. The U.S. voters expressed their sentiments of dissatisfaction and disappointment toward a presidency perceived as weak and unlucky. This kind of perception remained as a historical inheritance in the following decades. The failure of the fifty-two American hostages' rescue in the U.S. Embassy in Teheran and the Soviet invasion of Afghanistan in December 1979 were perceived as a proof of the weakness of the U.S. role in the world and of the ineffectiveness of its foreign policy. More generally, the global politics of the 1970s was for American pretty somber. As Mitchell writes: "They grappled with failure in Vietnam and strategic parity with the Soviet Union; they faced the Arab oil embargo and growing economic competition from the European Community and Japan. They suffered through Watergate, the congressional investigations of the Central Intelligence Agency (CIA), and stagflation. There seemed to be weekly reminders that the United States was losing power and influence".¹ The post-

¹ Mitchell, Nancy *The Cold War and Jimmy Carter*, in Leffler, Melvin P. and Westad, Odd Arne (eds.) *The Cambridge History of the Cold War – Volume III Endings*, Cambridge University Press, 2010, pp.66-88.

Vietnam, post-Watergate attitude that had made Carter win the elections in late 1976 wasn't good anymore for the second Cold War, that on the contrary required a much more confrontational attitude in the international scenario. The fear of a newly aggressive Soviet Union could not deal with the idealistic rhetoric of *détente* any longer.

Jimmy Carter's one-term presidency is remembered for the events that overwhelmed it—inflation, energy crisis, war in Afghanistan, and the hostage crisis in Iran. After one term in office, voters strongly rejected Jimmy Carter's honest but gloomy outlook in favor of Ronald Reagan's telegenic optimism. In the past two decades, however, there has been wider recognition that Carter, despite a lack of experience, confronted several huge problems with steadiness and idealism. Along with his predecessor Gerald Ford, Carter must be given credit for restoring the balance to the constitutional system after the excesses of the Johnson and Nixon "imperial presidency."²

Even though a wide literature has already provided for a re-evaluation of the Carter presidency's conduct³, it is probably necessary still today to recall the accomplishments of the Carter administration in the field

² <http://millercenter.org/president/carter/essays/biography/1>

³ It is worth recalling here some of the best known examples: Dumbrell, John *The Carter Presidency: a Re-evaluation*, New York, St. Martin's Press, 1993; Strong, Robert *Working in The World – Jimmy Carter and the Making of American Foreign Policy*, Baton Rouge, Louisiana State University Press, 2000; Schoultz, Lars *Human Rights and United States Policy Toward Latina America*, Princeton, Princeton University Press, 1981.

of foreign policy, through its four years. The Camp David Accords, the Panama Canal Treaties, the signature of the SALT II treaty (even though it was never ratified), the further improvement of the relations with the People's Republic of China (formally recognized on January 1, 1979) were all important goals achieved by the Carter administration in just four years. But even more than for these diplomatic actions, the Carter presidency should be remembered for its new approach to international affairs. In open contrast with the Nixon/Kissinger *realpolitik*, Jimmy Carter attempted to bring the values of idealism and moralism into U.S. foreign policy. Sure, he did not invent human rights but he put the issue in the political discourse and made them become an effective tool. Human rights started affecting the quality of the diplomatic relations both with allies and foes.

Several reasons can be found to explain the origins of Carter's human rights policy. Personal beliefs mattered and Jimmy Carter placed since the first steps of his journey to the White House a strong focus on competence and compassion, on the importance of the values of the person more than on strategy and political bargaining. He had a moral ideology but lacked a political ideology. Human rights as a political discourse reflected in depth Carter's strong moral impulses and tethered the principles to a set of political goals.⁴

⁴ Muravchik, Joshua *The Uncertain Crusade*, Hamilton Press, 1986, p.1.

Protecting the individual from the arbitrary action of the state and promoting human freedom were not just Jimmy Carter's personal aims. They reflected the spirit of the times, they were probably inspired by the *détente* mood of international relations, whose climax was represented by the signing of the Helsinki Final Act in the summer 1975. It was the final act of the Conference on Security and Cooperation in Europe (CSCE)⁵ and at the point VII of its Decalogue the "respect of human rights and fundamental freedoms" was cited as one of the principles guiding the relations between the participating states.

On the CSCE-human rights linkage, the historian Samuel Moyn observes: "the CSCE was a fruit of the very Cold War *détente* between the superpowers that human rights were eventually to unsettle. [...] Yet there is no denying that without the further canonization of human rights in the Helsinki process of the Conference for Security and Cooperation in Europe and then Jimmy Carter's explosive affiliation with the language in January 1977, human rights might have remained the preserve of

⁵ <http://www.osce.org/who/43960>. For an analysis of the Helsinki process see Romano, Angela *From Détente in Europe to European Détente – How the West Shaped the CSCE*, Brussels, P.I.E. Peter Lang s.a., 2009. For a narrower study of the U.S. CSCE policy and the relationship with Moscow in those years, see by the same author Romano, Angela *Détente, entente, or linkage? The Helsinki Conference on Security and Cooperation in Europe in U.S. relations with the Soviet Union*, *Diplomatic History*, vol.33 n.4, 2009, pp.703-722.

expanding but still minor advocacy groups and their international members and promoters".⁶

The human rights issue didn't have just a moral or ethical dimension, of course. It was a topic that emerged in the writing of the 1976 Democratic Platform, because it was seen politically as a no-lose issue but, even more, "it was a rare point of unity in a bitterly divided party".⁷ The Democratic Party was split into two major groups: on the one side was the "Jackson group", whose aim was overcoming the American arrogance of power; on the other side was the "McGovern group", animated by a strong anti-Soviet spirit and fearing a shift of the world order in favor of the Soviet Union.⁸ Carter was on neither side, was an outsider with "the goal of keeping everybody else reasonably happy, and keeping the party intact. There were some differences on domestic issues, but the real dividing line was over foreign affairs. On that there was almost no agreement, except, as it turned out, about human rights".⁹ On this point, Samuel Moyn also notes: "Jimmy carter was

⁶ Moyn, Samuel *The Last Utopia – Human Rights in History*, Cambridge, Massachusetts, and London, England, The Belknap Press of Harvard University press, 2010, p.149.

⁷ Muravchik, Joshua *cit.*, p.2.

⁸ A good description of these two trends within the Democratic Party is offered by Tulli, Umberto *Tra Diritti Umani e Distensione: L'amministrazione Carter, il Congresso e l'Unione Sovietica*, Contemporanea, a.XIII n.2, Aprile 2010, pp.261-284.

⁹ Muravchik, Joshua *cit.*, p.4.

a coalitions candidate for president in a moment when the party was recovering from its failed post-Watergate feint to the left. [...] In 1976, [...] Carter emerged as the one whom different factions of the party disliked least. If there was anything in Carter's campaign that linked him with the contemporary surge of human rights to that point, it was simply his stand for morality in general".¹⁰ According to Muravchik, then, strategy played a major role rather than moral beliefs. Also Umberto Tulli stresses that human rights had the pragmatic aim of reconstructing consensus within the party.¹¹ Sure, it was important having an issue that united both the liberal and the conservative wings of the Democratic Party in order to be fully supported during the presidential campaign. Secondly, but not less important, human rights was a subject that could become a beautiful campaign issue, was something on which the Ford administration was weak and vulnerable and the public opinion was particularly receptive. Thus, it was wise and appropriate to make it become one of the key points of Carter's campaign.

¹⁰ Moyn, Samuel *cit.*, p.154.

¹¹ Tulli, Umberto *cit.*, p.263.

1.1 How human rights entered the political discourse in the 1970s.

“We ought to be a beacon for nations who search for peace and who search for freedom, who search for individual liberty, who search for basic human rights. We haven't been lately. We can be once again”¹².

These were the words that Jimmy Carter, Governor of Georgia, pronounced at the end of the debate of the 1976 presidential campaign in which he participated with the outgoing president Ford. The human rights issue was pivotal in the political program of Jimmy Carter since the times of the electoral campaign. And it has to be noticed that soon after being elected, Carter and his administration started to work intensively on legal processes and institutionalization activities in order to build a solid framework for their human rights policy.

Nevertheless, when Carter entered the White House in 1977 the human rights policy had already done a long road in the U.S. Congress and, indeed, the development of human rights as an important element in U.S. diplomacy may largely be attributed to congressional initiative.¹³ A wide literature has studied the decisive role played by the

¹² Ford, Gerald *Public Papers of the Presidents of the United States* (from now onwards PPPUS), Presidential Campaign Debate, October 6, 1976.

¹³ Salzberg, John P. *A View from the Hill: U.S. Legislation and Human Rights*, in Newsom, David D. (ed.) *The Diplomacy of Human Rights*, University Press of America, 2005, pp. 13-20. John Salzberg was special consultant on human rights to the Committee of International Relations of the House of Representatives during the years of the Carter administration.

Congress in the setting of the human rights foreign policy. In this regard, William M. Schmidli writes that, by mid-Seventies, "growing support for human rights in Congress stimulated a rearguard action in the State Department to head off further legislative action".¹⁴

At the beginning of the Cold War and until mid-Sixties the United States "did not relinquish its identity as a rights-promoting state, but rather subordinated it to its Cold War anticommunism".¹⁵ The United States was promoting human and civil rights as complementary aspect of its anticommunism, was giving of itself the image of the bearer of the values of democracy and freedom, role that chose to adopt since the times of its decision to enter WW II and of Roosevelt's speech on the four freedoms.¹⁶

Starting from the early Seventies something began to change, because members of Congress started to be troubled that the U.S. foreign policy might be contributing

¹⁴ Schmidli, William M. *Institutionalizing Human Rights in U.S. Foreign Policy: U.S.-Argentine Relations, 1976-1980*, Diplomatic History, Vol.35 N.2 (April 2011), pp. 351-377, quotation at p.365.

¹⁵Sikkink, Kathryn *Mixed Signals – U.S. Human Rights Policy and Latin America*, The Century Foundation, Cornell University Press, 2004, p.52.

¹⁶It is very well-known the 1941 State of the Union address pronounced by president F.D. Roosevelt on January, 6 1941 in which he proposed the four fundamental freedoms that people everywhere in the world should enjoy: freedom of speech and expression, freedom of religion, freedom from want, freedom from fear. These were presented as four essential human freedoms and became the foundations of the 1948 United Nations Declaration of Human Rights.

to human rights violations abroad.¹⁷ “In one of those extraordinary convergences in which history is made”, Moyn writes, “human rights also became a potential language of the foreign policy of the Democratic Party in the United States in the early 1970s, before being canonized by his victorious presidential candidate Jimmy Carter in 1977”.¹⁸

Inside the Congress two major groups dealing with the human rights issue were born: one more concerned about the human rights violations in the Soviet Union and Eastern Europe, the other more interested in the right-wing authoritarian regimes that were U.S. allies and received military and economic aid from Washington. The leading role of this second group was played by Senators Edward Kennedy and Frank Church together with Representatives Donald Fraser and Tom Harkin. And were exactly these persons to highlight the profound conflict between the US history and identity and its support for dictatorships.¹⁹

This new sensitivity to human rights was emerging not only in the Congress, but also within the many different groups that were involved, and the role of NGOs was particularly significant to provide information to U.S. policy makers about human rights abuses and to initiate specific human rights policies and to lobby for their

¹⁷Salzberg, John P. *A View from the Hill...*, in Newsom, David D. (ed.) *cit.*, University Press of America, 2005, p. 13.

¹⁸ Moyn, Samuel *cit.*, p.150.

¹⁹Sikkink, Kathryn *cit.*, pp.53 and ff.

implementation. William Schmidli in fact states: “[...] the effort to institutionalize human rights in U.S. foreign policy reflected a remarkable degree of coordination between nongovernmental human rights advocates and sympathetic members of Congress”.²⁰ Congressman Fraser in particular was personally and directly involved in articulating concerns about human rights. From 1973 through 1978 he was chairman of the Subcommittee on Human Rights and International Organizations (also known as “The Fraser Subcommittee”). The scope of the committee was conducting hearings with witnesses, members of international human rights nongovernmental organizations, representatives of religious organizations who had direct knowledge of the human rights conditions in countries with which the United States had constant and close diplomatic relations. Throughout the six years of its activity, the Subcommittee held more than 150 hearings with more than 500 witnesses and wrote reports about the foreign governments scrutinized²¹. As Salzberg notes: “The complexity of the issue and the strong resistance within the Nixon administration to giving human rights the desired priority underlined the necessity for continuing congressional monitoring”.²² In this regard, also Samuel

²⁰ Schmidli, William M. *cit.*, pp.363-364.

²¹It is worth recalling some of the countries on which the Fraser Subcommittee investigated: Chile, Nicaragua, El Salvador, Argentina, Cuba, the Philippines, South Korea, Indonesia, South Africa, Israel and the USSR. See Salzberg, John P. *A View from the Hill...*, in Newsom, David D. (ed.) *cit.*, University Press of America, 2005, p. 15.

²² Idem.

Moyn observes that Donald Fraser's initiatives were decisive to make human rights a central issue of Congressional debates: "[...] beginning in August 1973, Minnesota congressman Donald Fraser used his Subcommittee [...] to spotlight human rights norms and mechanisms. [...] One of Fraser's most important conclusions was that the UN processes around human rights seemed unlikely to be performed, so that governments, in particular U.S. government, needed to move forcefully to propagate human rights values".²³ In this way, the human rights issue and U.S. foreign policy started to be increasingly intertwined.

The Congressional effort highlighted a strong contradiction and upset both the political and the public opinion: what kind of traditional values and principles did the U.S. foreign policy reflect, supporting non-democratic regimes perpetrating human rights violations? Or, to put it differently, what values had a country promoting such a contradictory foreign policy? The U.S. international leadership probably needed to take "a new look", to be less conflicting and to give higher importance to moral beliefs. The international environment was going to this same direction, as the signature of the 1975 Helsinki Final Act proved: human rights were at the core of this document and were a central issue in international relations.

²³ Moyn, Samuel *cit.*, p.151.

Giving a new look to U.S. foreign policy was, at the beginning of the 1970s, a very challenging job. The positions of the Democratic Congress were constantly opposed by those of the Republican presidents Nixon and Ford. Congress was concerned about the *realpolitik* style of Secretary of State Henry Kissinger and affirmed the importance of morality in U.S. foreign policy. Marie Griesgraber writes: "Congress was especially concerned that the United States might be directly associated with the violations of human rights or in bolstering governments that perpetrated these violations. [...] In the Latin American context, while Secretary Henry Kissinger was negotiating a special relationship between the United States and Brazil, Sen. Frank Church and Rep. Donald Fraser were conducting hearings on the use of torture, summary arrest, and execution by the same government of Brazil".²⁴

But when in 1973 Augusto Pinochet overthrew Salvador Allende's government with a military coup d'état and it resulted that the Central Intelligence Agency (CIA) and secret U.S. economic boycott contributed to destabilize Allende, Senators Kennedy and Church started serious hearings about the U.S. involvement in the coup and promoted legislative initiatives in favor of human rights.

Hence, in the 1973 Foreign Assistance Act three separate sections were related to human rights: section 32

²⁴Griesgraber, Jo Marie *Implementation by the Carter Administration of Human Rights Legislation Affecting Latin America*, Ph.D. dissertation, Georgetown University, 1983, p.34.

asserted the denial of any economic or military assistance to the government of any foreign country practicing the internment or imprisonment of that country's citizens for political purposes; section 35 explicitly referred to measures to adopt in the Chilean case; and section 112 said that the Office of Public Safety (OPS) program could no longer provide police training abroad. But, as Griesgraber underlines: "Before Carter, the executive branch response to Congress' human rights initiative was to ignore or circumvent the law. No aid was ever reduced because a government held political prisoners. "When OPS training of police overseas was explicitly forbidden, training programs for the same foreign police were stepped up inside the United States".²⁵ This is why the Congress' attitude became tougher and led to passing further legislation. Indeed, in 1974 OPS training was forbidden both abroad and within the U.S. territory; furthermore, the 1974 legislation regarding security assistance (section 502B) included a wider category of human rights violations that could be sanctioned. This amendment affirmed that "except in extraordinary circumstances, the President shall substantially reduce or terminate security assistance to any government which engages in a consistent pattern of gross violations of internationally recognized human rights"; in this way, it became responsibility of the President to prove the existence of "extraordinary circumstances" that would

²⁵ Idem, p. 39.

justify any continuation of assistance.²⁶ An innovative aspect was represented by the requirement of reports that the executive branch had to draw up and send to the Congress about the human rights conditions in countries receiving security assistance. In case one of these countries resulted the theatre of gross and repeated violations of human rights, section 502B required the suspension of the security assistance unless extraordinary circumstances involving U.S. national security prevailed.²⁷ As Sikkink notes, "the language of the section was carefully drafted by Fraser and his staff, who wanted to refer to international human rights standard, not just U.S. standards, and who were especially concerned about consistent patterns of gross violations not just incidents".²⁸ Still, before the beginning of Carter's presidency, section 502B was never invoked before the Congress either to halt or to reduce any security assistance and the reports supposed to issue country-by-country analyses were on the contrary replaced by a general report about the human rights situation in all countries receiving U.S. security assistance. It was Secretary of State Kissinger to decide not to release these reports. According to him, all states violated human rights and it was not in the interest of the United States to single out any

²⁶ Salzberg, John P. *A View from the Hill...*, in Newsom, David D. (ed.) *cit*, University Press of America, 2005, p. 17.

²⁷ A very good and useful article on the evolution of the section 502B of the U.S. foreign assistance legislation is by Cohen, Stephen B. *Conditioning U.S. Security Assistance on Human Rights Practices*, *The American Journal of International Law*, vol.76 n.2 (April 1982), pp.246-279.

²⁸ Sikkink, Kathryn *cit.*, pp. 69-70.

individual states.²⁹ This is why in 1976 the Congress decided to revise again section 502B: on one hand the institutional figure of a human rights Coordinator was created inside the Department of State, on the other it was clearly stated the necessity of submitting human rights reports on each country receiving U.S. security assistance. An additional and decisive piece of legislation that created the hard core of the human rights policy was represented by the 1975 "Harkin Amendment", according to which economic aid and loans to countries engaged in gross violations of human rights would be stopped unless the aid would directly benefit needy people. The human rights issue was not only linked to military assistance anymore, but also to the U.S. more general economic assistance and in this way the linkage between human rights and economic aid became mandatory.

Judith de Neufville also highlights that it was a Congressional initiative likewise the establishment of the first country reports, "requiring for each country proposed for security assistance that annual report on human rights practices be submitted to Congress".³⁰

This was the legal framework set up before Jimmy Carter became president and before he made the theme of

²⁹ Salzberg, John P. *A View from the Hill...*, in Newsom, David D. (ed) *cit*, University Press of America, 2005, p. 18.

³⁰ De Neufville, Judith I. *Human Rights Reporting as a Policy Tool: An Examination of the State Department Country Reports*, Human Rights Quarterly, vol.8 n.4 (Nov. 1986), pp.681-699, quotation at p.684.

human rights the pivot of his foreign policy. Despite the decision of introducing the human rights issue into his policy agenda arrived quite late during his presidential campaign, he made it his own.

1.2 What attitude toward Brazil before the Carter presidency?

Civilian and political actors put also Latin American human rights issues on the U.S. foreign policy agenda. The Brazilian case was recalled by Senator Kennedy in a speech held in October 1970³¹ and in which, starting from a specific case, the Senator moved a wider critique to the U.S. political approach towards human rights and foreign policy: "Despite our strong tradition of democracy, the United States continues to support regimes in Latin America that deny basic human rights. We stand silent while political prisoners are tortured in Brazil [...] I point

³¹ Kennedy, Edward *The Alianza in Trouble: Beginning Anew in Latin America*, Saturday Review, October 17, 1970 cited in Kathryn Sikkink, *cit.*, p. 58.

this out [...] because Brazil is ruled by a government that we fully support with money, arms, technical assistance, and the comfort of close diplomatic relations". While discussing the possible activities that the OAS could implement he said: "It is responsibility of the nations of the hemisphere to focus the spotlight of international opinion on the outrages being committed in Brazil". Brazil, the hemispheric ally, the Latin American country that since the beginning of its diplomatic relations with the United States aimed at a "regional special relationship", received attention and importance because of the repressions, tortures and violations carried out by its military regime. President Ford's working group was aware that the U.S. diplomatic attitude towards Brazil was not supported either by the Government or by the public opinion and that, already in mid-Seventies, human rights were a thorny issue. A June 1975 briefing memorandum³², drawn up before a meeting between Deputy Secretary Ingersoll and the Brazilian ambassador Castro, emphasized the importance to deal with the human rights situation in Brazil:

"We have been working to give more substance to our bilateral relationship with the GOB in recognition of Brazil's attributes as an emerging world power. [...] A

³² Briefing Memorandum from Rogers to the Deputy Secretary *Your Meeting with Brazilian Ambassador Araujo Castro – Friday, June 13 1:00 pm*, June 12, 1975, Confidential, General Records Of The Department Of State – "Office Of The Deputy Secretary, Office Of The Coordinator For Humanitarian Affairs. Office Of The Deputy Coordinator For Human Rights" – Human Rights Subject Files, 1975, NARA.

potential stumbling block to a continued cooperative relationship with Brazil is the question of human rights. Public and Congressional attention can be expected to continue and perhaps intensify. [...] The new emphasis on human rights as an important element of USG policy, and legislative provisions linking human rights considerations to military and economic assistance make it necessary to again insert some careful references to this delicate question in our dealings with selected GOB officials".³³

In the last months of the Ford administration, The State Department interpreted human rights as a potentially troublesome issue for the quality of the bilateral U.S.-Brazil relations. Congressional pressures and the existing legislation, that linked human rights performances to U.S. military and economic assistance, could give problems in maintaining a cooperative relation with Brazil. Hence, the State Department, and Henry Kissinger in particular, decided to sincerely welcome and support the Brazilian President Ernesto Geisel's commitment to "decompression", political liberalization and progress in the field of human rights. The U.S. support to Brazil was sanctioned by the signature of a Memorandum of Understanding in February 1976, passionately pursued by Secretary of State Kissinger.

Within the Democratic Party, the neoconservatives discourse criticized "the immorality of Kissinger's realism". Historian Mario Del Pero writes:

³³ Idem.

“In the 1970s human rights became a central issue in U.S. public debate and international relations. Occupying center stage in world politics, human rights were part of the ‘moment of...basic political restructuring’ that took place during the decade. And it was on the issue of human rights that the neoconservatives identified a potential vulnerability of Kissinger and his foreign policy that, if aptly exploited, could lead to his downfall and the end of détente”.³⁴

“Latin America occupied a special place also in Jimmy Carter’s discussions of human rights”³⁵ and he mentioned several times the Chilean case as one of the most dramatic U.S. policy failures.

Few months before the election, on March, 15 1976 at the Chicago Council on Foreign Relations, Carter stated the necessity of abandoning the traditional paternalism that the United States had always had towards Africa and Latin America; and citing the U.S.-Brazilian relations, affirmed:

“The United States-Brazilian agreement, signed recently by Secretary of State Kissinger on his trip to Latin America, is a good example of our present policy at its worst. Kissinger’s remarks during his visit that “there are no two people whose concern for human dignities and for the basic values of man is more profound in day to day life than Brazil and the United States” can only be taken as a gratuitous slap in the face of all those

³⁴ Del Pero, Mario *The Eccentric Realist – Henry Kissinger and the Shaping of American Foreign Policy*, Cornell University Press, Ithaca and London, 2010, p.135.

³⁵ Sikkink, Kathryn *cit.*, p. 75.

American who want a foreign policy that embodies our ideals, not subverts them".³⁶

With his assertion, Carter "made Henry Kissinger look foolish and hypocritical for his remarks about the common destinies and respect for human rights of the United States and Brazil"³⁷ and gave advance notice of the directions he intended to follow in his foreign policy.

During the electoral campaign, Jimmy Carter had not outlined yet the way human rights could be used as a foreign policy tool:

"When Carter mentioned human rights during an early stump speech, the small crowd cheered. He mentioned it again and again. It became a Rorschach test of the electorate: liberals assumed Carter was signaling that he would distance the United States from right-wing dictators in the Third World; conservatives thought he

³⁶The agreement quoted here by Carter is the "Memorandum of Understanding concerning consultations on matters of mutual interest" signed by the US Secretary of State Henry Kissinger and the Brazilian Foreign Minister Azeredo da Silveira on February 21, 1976. The agreement, besides reaffirming the tradition of friendship and cooperation between the two countries, planned bilateral consultations to be held twice a year about the full range of foreign policy matters: economic, political, security, cultural, legal, educational and technological subjects. *Carter Quotes - Latin America*, March 15, 1976 - David R. MacDonald Papers, Folder 22, Gerald Ford Library.

³⁷Memorandum from Pastor to Brzezinski, *Your Request for Comments on the Brazil Memorandum*, November 4, 1977, White House Central File Subject File, BOX CO-13, Zbigniew Brzezinski Collection, Jimmy Carter Library (Hereinafter JCL).

would apply pressure on the Soviet Union. The candidate did not elucidate".³⁸

Nevertheless, it proved to be an appealing discourse for the most part of the Democratic party and the electorate.

³⁸ Mitchell, Nancy *cit.*, p.71.

2. THE ELECTION OF JIMMY CARTER AND THE SET-UP OF THE HUMAN RIGHTS POLICY.

2.1 The first official speeches.

As President, Jimmy Carter's commitment to human rights issues was affirmed since the moment of the inaugural address, delivered at the Inaugural Ceremonies at the Capitol in Washington on January 20, 1977. Such commitment had to be absolute, in order to enhance equality and opportunity. The necessity to prove again that the U.S. had the dignity to play a decisive role in the international scenario was affirmed in several occasions:

"Our Nation can be strong abroad only if it is strong at home. And we know that the best way to enhance freedom in other lands is to demonstrate here that our democratic system is worthy of emulation".³⁹

The aim was to restore moralism both in the domestic and foreign realm, and to make as soon as possible Watergate and Vietnam bad memories of a dark moment for the nation. The U.S. had to offer and project a new image of itself, had to gain anew its prestige and its leading role. Carter wanted to follow the "Helsinki spirit", and

³⁹ Inauguration of the 39th President, January 20, 1977 in Adam, Elaine P. (ed.) *American Foreign Relations 1977 – A documentary record*, New York University Press, 1979, p.155.

wanted to emphasize the importance of moral rather than military strength as a basis of national conduct.

“The world itself is now dominated by a new spirit. Peoples more numerous and more politically aware are craving, and now demanding, their place in the sun –not just for the benefit of their own physical condition, but for basic human rights”.⁴⁰

A few weeks later, Jimmy Carter spoke at the United Nations, where he explained the direction he intended to give to the U.S. foreign policy. Also in this case, he underlined how pivotal the human rights issue was for the U.S.. He in fact emphasized:

“I see a hopeful world, a world dominated by increasing demands for basic freedoms, for fundamental rights, for higher standards of human existence. We are eager to take part in the shaping of that world”.⁴¹

Well aware of the difficulties that his staff could have, he nevertheless had very clear in mind and was meant to put a persistent effort “to maintain peace and to reduce the arms race”, “to build a better and a more cooperative international economic system”, and “to work with potential adversaries as well as our close friends to advance

⁴⁰ Idem.

⁴¹ Address by President Carter to Representative of United Nations Member States, New York, March 17, 1977 in Adam, Elaine P. (ed.) *American Foreign Relations 1977 – A documentary record*, New York University Press, 1979, p.158.

the cause of human rights”.⁴² In the first months of his presidency, Carter put a very strong effort in emphasizing that the U.S. foreign policy from that moment onwards had to follow a new route. All the major public events he was involved were used to broadcast his new political ideas. He took advantage of the Commencement Address at the University of Notre Dame on May 22, 1977 to talk once more of the new direction given to the foreign policy by his administration. Jimmy Carter started stating:

“I believe we can have a foreign policy that is democratic, that is based on fundamental values, and that uses power and influence, which we have, for humane purposes”.⁴³

He strongly believed in the American democratic values and he was confident in the resilience of the U.S. political system: the U.S. was “strong and influential and prosperous because we are free” and these principles were enough to “reject the arguments of those rulers who deny human rights to their people”.⁴⁴ Carter was sure that to

⁴² Idem. In the Seventies, the United States formulated its human rights policy in terms of anti-torture rights; as Lars Schoultz has pointed out, the U.S. government gave a narrow definition of human rights for the implementation of its human rights policy, focusing on the rights to life, liberty, integrity of the person, due process of law and therefore cutting military and economic aids to those countries where torture, cruel, inhuman and degrading treatment of the person –including prolonged detention without trial– happened. Schoultz, Lars *cit.*, p.3.

⁴³ Foreign Policy and National Character: Commencement Address by President Carter at the University of Notre Dame, Notre Dame, Indiana, May 22, 1977 in Adam, Elaine P. (ed.) *American Foreign Relations 1977 – A documentary record*, New York University Press, 1979, p.172.

⁴⁴ Idem, pp.172 and 174.

fight for the protection of the individual from the arbitrary power of the state would have led the U.S. to regain the moral stature it once had:

“Throughout the world today, in free nations and in totalitarian countries as well, there is a preoccupation with the subject of human freedom, human rights. And I believe it is incumbent on us in this country to keep that discussion, that debate, that contention alive. No other country is as well-qualified as we to set an example”.⁴⁵

Human rights held once again an important place in this speech and it was clear that the new administration knew what directions intended to take in its foreign relations.

Secretary of State Vance became the spokesman of this commitment to human rights when he delivered a speech at the University of Georgia School of Law in Athens, Georgia, on April 30, 1977. According to Vance, the human rights policy had to be understood in order to be effective and needed therefore to be explained and described very carefully both in terms of contents and possible results. This was the first occasion in which was officially given a clear definition of what the administration meant for human rights.

“First, there is the right to be free from governmental violation of the integrity of the person. [...] Second, there is the right to the fulfillment of such vital needs as food,

⁴⁵ Idem, p.175.

shelter, health care and education. [...] Third, there is the right to enjoy civil and political liberties. [...] Our policy is to promote all these rights".⁴⁶

The U.S. administration intended to fully respect the principles and the rights recognized in the 1948 Universal Declaration of Human Rights.

"In pursuing a human rights policy, we must always keep in mind the limits of our power and of our wisdom. A sure formula for defeat of our goals would be a rigid, hubristic attempt to impose our values on others. A doctrinaire plan of action would be as damaging as indifference".⁴⁷

That was why the administration considered various tools through which the policy could be implemented and Vance was pretty precise in listing them:

"From quiet diplomacy in its many forms, through public pronouncements, to withholding of assistance. Whenever possible we will use positive steps of encouragement and inducement. Our strong support will go to countries that are working to improve the human condition. [...] It is not our purpose to intervene in the internal affairs of other countries⁴⁸, but [...] no member of the United

⁴⁶ Human Rights and Foreign Policy: Address by Secretary of State Cyrus R. Vance at the University of Georgia School of Law, Athens, Georgia, April 30, 1977 in Adam, Elaine P. (ed.) *American Foreign Relations 1977 – A documentary record*, New York University Press, 1979, p.165.

⁴⁷ Idem.

⁴⁸ When Secretary Vance delivered this speech at the end of April 1977, the relations between Washington and Brasilia had already started to worsen. At the very beginning of March 1977 the State Department delivered the report

Nations can claim that violation of internationally protected human rights is solely its own affair".⁴⁹

The Secretary of State underlined the importance of multilateral cooperation, both in the United Nations (UN) and in the regional organizations, first of all in the Organization of American States (OAS), central to give effectiveness to this endeavor.

When the Carter administration set forth its own definition of human rights, it clearly had in mind the international framework that was slowly but efficiently implemented throughout the thirty years after the end of World War II: the UN Charter (1945); the Universal Declaration of Human Rights (1948); the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (both entered into force in 1976); moreover, it must be mentioned also the American Convention on Human Rights – or Pact of San Jose – signed by the member states

about the human rights situation in Brazil, as required by the Foreign Assistance Act for all the countries receiving military and economic aid from the United States. After reading the report, the Brazilian government's reaction was furious. The U.S. interference in the domestic affairs of a foreign country was, according to Brasilia, unacceptable and could not be tolerated. The dilemma between the international protection of human rights and the interference in the internal affairs of other countries would be crucial throughout the whole mandate of Carter's presidency.

⁴⁹Human Rights and Foreign Policy: Address by Secretary of State Cyrus R. Vance at the University of Georgia School of Law, Athens, Georgia, April 30, 1977 in Adam, Elaine P. (ed.) *American Foreign Relations 1977 – A documentary record*, New York University Press, 1979, pp.166-167.

of the OAS in July 1978, whose ratification was a Carter's significant political achievement. It has been stated that foreign policy is first and last about people and that is also the art of the possible through the application of power and persuasion⁵⁰: being this true, it is comprehensible why the Carter administration considered diplomacy a powerful tool to achieve some results on the human rights issue. As Vogelgesang affirms:

"The diplomacy of human rights can be private or public, multilateral or bilateral, and punitive or positive. And, it can be several of the above at the same time. [...] Private or so-called 'quiet diplomacy' is the course most governments prefer. It entails working behind the scenes, whether in an unpublicized discussion between junior US Embassy officials and their counterparts at the host-country foreign ministry or a discreet exchange between the US president and another head of state".⁵¹

In case of failure or insufficient results, turning to public diplomacy and to public symbolic acts was another option considered by the Carter administration.⁵²

⁵⁰ Vogelgesang, Sandy *Diplomacy of Human Rights*, International Studies Quarterly, vol.23 n.2, June 1979, pp. 216-245. Vogelgesang served at the time on the State Department's Policy Planning Staff.

⁵¹ Ibidem.

⁵² An example can be represented by the decision of Jimmy Carter in occasion of his trip to Brazil in late March 1978 to meet opposition leaders, representatives of civil society and, notably, Cardinal Paulo Evaristo Arns, "perhaps the Brazilian's regime most implacable foe on the issue of human rights" (See Timothy Power, *Carter. Human Rights and the Brazilian Military*

The theoretical outline was set, the principles to follow were very clear, the diplomatic tools to use were many, the legal framework was established and effective. A further action to take consisted in creating the institutions within the administration dealing specifically with human rights. It was time to support rhetoric with important concrete actions.

2.2 Patricia Derian and her staff.

On March 5, 1977 President Carter announced the appointment of Patricia Derian as Coordinator for Human Rights and Humanitarian Affairs at the Department of State.⁵³ Therefore, it was evident that Carter wanted to back the policy through a strengthened bureaucracy. The Office of Human Rights was transformed into a Bureau of Human Rights and Humanitarian Affairs headed by an Assistant

Regime: Revisiting the Diplomatic Crisis of 1977, Draft of December 2005, pp. 28 ff.)

⁵³ See Carter, Jimmy *PPPUS*, Nomination of Patricia M. Derian, March 5, 1977.

Secretary of State.⁵⁴ The appointment of Patricia Derian came pretty unexpected, to herself as well. Although she had been a deputy director of the Carter-Mondale campaign and had worked on the Carter-Mondale transition team with the Health, Education and Welfare (HEW) group, she did not expect to be under evaluation at the Department of State. Damico writes: "Vance and Christopher sought someone unconnected to the bureaucracy and with a single-minded, principled focus on human rights. Richard Moose, a member of the State transition team and who later would be appointed Assistant Secretary of State for Africa, believed that a former leader in the civil rights movement would make an ideal appointment for the post [...] Although Moose had only met her once or twice, Derian had come to his mind as a candidate for the post. After some research and brief conversation with her, he suggested her name to Vance and Christopher for the human rights post. Neither had ever heard of the former Mississippi housewife, but they agreed that she would be a good choice".⁵⁵

Carter's human rights-based foreign policy found in Derian the best person to implement its goals. Despite her inexperience in international affairs, there was a certain logic to her appointment, Muravchik admits. "It made sense to choose for the human rights field someone of

⁵⁴ Salzberg, John P. *The Carter Administration and Human Rights*, in Newsom, David D. (ed.) cit., pp.61-65.

⁵⁵ Damico, John K. *From Civil Rights to Human Rights – The Career of Patricia Derian*, Ph.D. Thesis, Mississippi State University, December 1999, p.103.

stature in the American civil rights movement, and Derian was such a person".⁵⁶ Carter himself desired to jettison the policy of automatically supporting oppressive regimes because of their pro-United States foreign policies and to begin a program that took into account the human rights conditions in those countries as well.⁵⁷ Such a deep change in the U.S. foreign policy would be certainly resisted by many bureaucrats in Foggy Bottom, and Derian started her new job with the idea of battling to influence the policy and attitudes of the State Department's old bureaucracy. Damico notes: "Derian's appointment, then, would guarantee an adversarial relationship between her office and the State Department bureaucracy, which Carter may have regarded as healthy".⁵⁸ Derian definitely seemed to be the best choice for the position.

Throughout the four years, Derian was supported in her job by Mark Schneider, who was known as a liberal activist and became her principal deputy. Other important figures that played a pivotal role within the administration as far as the protection of human rights abroad was concerned were: Stephen Cohen who, together with Schneider, helped Derian since the very beginning of her appointment and toward the end of Carter years, John Salzberg, Roberta Cohen, and Stephen Palmer, who joined the human rights group of the State Department.

⁵⁶ Muravchik, Joshua *cit.*, p.10.

⁵⁷ Damico, John K. *cit.*, p. 105.

⁵⁸ Damico, John K. *cit.*, p.120.

But Derian was not the only social rights activist without foreign policy expertise placed by Carter in an important foreign policy post. An example was represented by Carter's choice for ambassador to the United Nations, Andrew Young. A former associate of Martin Luther King, Jr. and mayor of Atlanta, Young was considered one of the most committed political figures that would fight for the new human rights issue. Muravchik says that "numerous observers have described Young's role as that of a militant on human rights issues in the administration's internal debates".⁵⁹

Also within the National Security Council there was a human rights specialist, and she was Jessica Tuchman. From 1977 to 1979 she was the director of the Office of Global Issues, covering, besides human rights, nuclear proliferation, conventional arms sales policy, and chemical and biological warfare. Brzezinski decided to appoint "Dr. Tuchman [because she] combined technical expertise in nuclear proliferation, political savvy because of her background as a scientist [...], and a genuine sense of compassion for the underprivileged".⁶⁰

The Bureau of Human Rights and Humanitarian Affairs played an active role in the production of the human rights reports: in fact, the Bureau set the guidelines (outlining content, format, and style) followed by the

⁵⁹ Muravchik, Joshua *cit.*, p.14.

⁶⁰ Brzezinski, Zbigniew *Power and Principle – Memoirs of the National Security Adviser 1977-1981*, Farrar Straus Giroux, New York, 1983, p.125.

embassies, whose human rights officers gathered information and prepared draft reports on their host countries. "With personnel in virtually every country, the Department could produce a document based on first-hand information and covering the full range of human rights. No other organization had a comparable capacity"⁶¹, De Neufville notes. Furthermore, she describes how important was the effort put by Derian and her coworkers in developing an increasingly standardized reporting format. "For each country the report was organized into several main topics dealing with 1) integrity of the person (torture, killing, etc.); 2) civil rights; 3) political rights; 4) economic and social rights or vital needs. [...] Embassies were told to discuss both the laws and the actual practices for each topic and were pressured to provide illustrative examples and, where possible, quantitative estimates of violations to incorporate into the text".⁶²

Patricia Derian's and her Bureau's work resulted to be synergic and in continuity with the congressional efforts of the early 1970s.

⁶¹ De Neufville, Judith I. *cit.*, p.686.

⁶² De Neufville, Judith I. *cit.*, p.687.

2.3 Presidential Review Memorandum 28 and Presidential Directive 30.

During the Carter Administration, the National Security Council (NSC) created Presidential Review Memoranda (PRM) and Presidential Directives (PD) as part of the foreign policy development process. These documents, which represented stages in the decision-making process, supplanted respectively the National Security Study Memorandum and the National Security Decision Memorandum. The names were changed, although the mechanics of NSC review remained similar to previous administrations. These studies could be conducted either under the purview of the Special Coordination Committee (SCC), that was chaired by the Assistant to the President for National Security Affairs, or under the purview of the Policy Review Committee (PRC), and in this case the group was chaired by a member of the Cabinet Secretary. PRMs identified topics to be researched by the NSC, defined the problem to be analyzed, set a deadline for the completion of the study, and assigned responsibility for it to one of the two NSC committees. An attentive study was conducted and then drafted by people who had the expertise in the government needed to tackle the issues. When the committee believed that the study had incorporated meaningful options and supporting arguments, the study's conclusions would go to the President in a 2- or 3-page memorandum, which in turn

formed the basis for a Presidential Directive.⁶³ It was the President who made the final decision, his decision became a Presidential Directive that was prepared, signed and sent out as a policy. "That was the process clearly [...] for human rights, so that all of the agencies were involved, all the good ideas available were brought to bear both to structure the study and to carry it out, to decide what the issues were and how they ought to be set out for the President, and to decide on the recommendations that were made".⁶⁴

On May 20, 1977 the NSC issued a Memorandum with the objective of reviewing the U.S. foreign policy with respect to human rights. A few months later, in July 1977, a revised draft of the first memorandum was ready and almost close to the final version of the Presidential Review Memorandum 28 entitled "Human Rights". In the document it's evident a strong and clear connection to what was stated by Vance in his April 30 speech, which set the guidelines for the administration's policy. First, in this document human rights were described and divided into three different groups: the first group was defined as "the right to be free from governmental violations of the integrity of the person"; the second included the "economic and social rights"; and the third group was the one of the

⁶³ http://www.jimmycarterlibrary.gov/documents/prmemorandums/pres_memorandums.phtml

⁶⁴ Carter Presidency Project *Final Edited Transcript of the Interview with Zbigniew Brzezinski – with Madeleine K. Albright, Leslie G. Denend, William Odom*, February 18, 1982, The Mille Center Foundation, p.12.

“rights to enjoy civil and political liberties”. Which of the three groups should have been considered in the implementation of the human rights policy in order to maximize the effectiveness of the new administration’s actions? There were no doubt that the first group had to be included: torture, cruel, inhuman or degrading treatment and punishment, arbitrary arrest or imprisonment, denial of fair and public trial as well as invasion of the home were “the most egregious and horrible of abuses of authority and thus deserve[d] [the administration’s] most urgent attention”.⁶⁵ Moreover, since the rights of the first group were subject to “immediate curtailment”, it could be possible to achieve good results in the short run. Still, it was not possible to impose one and only *paradigm of rights* as to export an American-style democracy; on the contrary, the aim was enhancing basic human rights in diverse cultures not seeking “to change governments or remake societies”⁶⁶. Throughout the pages of the PRM-28, an evaluation of the objectives and costs of the new human rights policy was made. Even though the promotion of human rights was undoubtedly a fundamental tenet of the U.S. foreign policy, the decision to raise it to a higher level of priority would imply certain costs. There were clearly other major objectives of U.S. foreign policy of equal –if not greater– importance, such as for example the fundamental

⁶⁵ Memorandum from Warren Christopher to Jessica Tuchman et al. *PRM on Human Rights*, July 8, 1977, Confidential (available online at: <http://www.jimmycarterlibrary.gov/documents/prmemorandums/prm28.pdf>), p.4.

⁶⁶ Ibidem.

objective to protect and advance U.S. national security. "There will clearly be situations in which efforts to achieve our human rights goals will have to be modified, delayed or curtailed in deference to other important objectives. [...]. Even when other objectives outweigh the human rights factor, our policies should, nevertheless, be implemented in a manner that promotes human rights to the extent possible."⁶⁷ The human rights issue pivotal in any case, then, except in case of threats to national security. Human rights had to be always promoted "to the extent possible", but what to do with those countries consistently perpetrating gross violations of human rights with which the U.S. had relations? "Governments that have a consistent record of gross violations of human rights should be dealt with as special cases, and our policy should generally be to bring to bear international opinion and concerted action by the world community against such a regime. Obviously, this should be done only in flagrant cases after attempts to encourage evolutionary improvement have been spurned. Even in such cases, however, there is no necessary reason why formal relations should not be maintained".⁶⁸ Several considerations followed: the administration clearly intended to take a case-by-case stance, since it was evident that the human rights policy could be implemented only on a country-by-country basis and it was not possible to create an all-purpose formula. Each country represented a special case and, in

⁶⁷ Idem, pp.12-13.

⁶⁸ Idem, p.22.

order to implement a realistic and effective policy, the administration had to take into account all the differences in each case. Taken this into consideration, the administration intended to have a “stick and carrot” approach: “We can promote our objectives not simply by penalizing, or threatening to penalize, offensive conduct but also by rewarding, or offering to reward, positive human rights conduct”⁶⁹. The document also highlighted the major possible actions to implement in order to integrate human rights considerations into U.S. foreign policy: “The Executive Branch has already taken some important steps to help assure implementation of this Administration’s focus on human rights, but needs to do more”.⁷⁰ The steps taken in the first months of the new administration were: the establishment of the Interagency Group on Human Rights and Foreign Assistance, pursuant to an NSC Memorandum dated April 1, 1977. The Group was chaired by the State Department, namely by the Deputy Secretary Warren Christopher, after whom the group was also named “Christopher Group”, and included representatives from the NSC, State, Treasury, DOD and AID. Its mandate consisted in coordinating the development and the implementation of U.S. human rights policy as it was related to bilateral and multilateral economic and security assistance programs. More specifically, with respect to security assistance, it was created an interagency Arms Export Control Board, made

⁶⁹ Idem, p.31.

⁷⁰ Idem, p.78

up of representatives of the State Department's Office of the Coordinator for Human Rights and Humanitarian Affairs, whose job was to take human rights factors into consideration in its deliberations. When unable to reach a consensus on particular policies, programs or transactions because of differences concerning the effect of human rights of the proposed actions, it was envisaged the possibility of referring the issue to the Interagency Group on Human Rights and Foreign Assistance. This could ensure an over-all coordination of the U.S. human rights policy as it related to foreign assistance and would have made possible a consistent work of the U.S. administration in this respect. Some changes were made also within the State Department: the Office for the Coordinator of Human Rights and Humanitarian Affairs was expanded (designation of full-time human rights officers in each of the Department's regional bureaus and full or near full-time human rights offices in each of the Department's functional bureaus⁷¹), and a Human Rights Coordinating Group⁷² was established. All U.S. mission chiefs were instructed to give their personal attention to furthering observance of human rights in their host countries,

⁷¹ They were responsible for monitoring human rights concerns within their bureaus, coordinating with the Department's Office of Human Rights and Humanitarian Affairs, and relating bureau actions on human rights to actions taken elsewhere in the foreign affairs agencies.

⁷² Chaired by the Deputy Secretary of State Warren Christopher, this group included Deputy Secretary of State or equivalent level of representation from all regional and all concerned functional bureaus of the State Department, as well as from USIA and AID. Its function consisted in helping to provide balance and consistency for all aspects of U.S. policy on human right.

providing frequent reporting on human rights, and assuring full mission involvement in the implementation of human rights policy. The draft of the PRM-28 stated also the necessary future steps to implement and some could be: the “expansion of the mandate of the Interagency Group on Human Rights and Foreign Assistance to include all aspects of our human rights policy, not simply foreign assistance. That expanded purview would promote greater coordination of our human rights policy within the Executive Branch; [it was moreover desirable to set] reasonably regular high-level meetings to review implementation and development of our human rights policy –e.g., meetings between the President and relevant agency heads; between some or all of them and key-members of Congress; between members of the Interagency Group and representatives of concerned non-governmental organizations”⁷³.

Even if since the very first months of 1977 the administration had started to work on its human rights policy, the Presidential Directive 30 entitled “Human Rights” was published on February 17, 1978⁷⁴, one year later than Carter entered into office. Nevertheless, it must be noted that the human rights policy was put into practice even before the PD was issued. The three-page presidential document managed to combine all the thoughts and the

⁷³ Idem, p.81.

⁷⁴ Presidential Directive/NSC-30, February 17, 1978, Confidential. The full text of the Presidential Directive is available at: <http://www.jimmycarterlibrary.gov/documents/pddirectives/pd30.pdf>

strategies discussed in the PRM 28. It was decided to give primary attention to the “rights of the first group” (the right to be free from governmental violations of the integrity of the person), still not omitting the social and political liberties as well as economic and social rights (rights of the second and third group).

The document stated:

“It shall be a major objective of U.S. foreign policy to promote the observance of human rights throughout the world. The policy shall be applied globally, but with due consideration to the cultural, political and historical characteristics of each nation, and to other fundamental U.S. interests with respect to the nation in question. Specifically: It shall be of the U.S. human rights policy to *reduce* worldwide governmental violations of the integrity of the person (e.g., torture, cruel, inhuman or degrading treatment; arbitrary arrest or imprisonment; lengthy detention without trial, and assassination), and to *enhance* civil and political liberties (e.g., freedom of speech, of religion, of assembly, of movement and of the press; and the right to basic judicial protections). It will also be a continuing U.S. objective to *promote* basic economic and social rights (e.g., adequate food, education, shelter and health)”⁷⁵.

Could the use of these three verbs indicate different intensities of the effort that the administration intended to put in the international protection of the three categories of

⁷⁵ Idem, p.1.

human rights? Was there a sort of priority order to follow or not? Pretty controversial was the choice to include economic and social rights, transforming them into a salient feature of the Carter human rights policy. Didn't that mean to have an unrealistic approach with regard to the effective condition of many countries of the developing world? The administration considered the human rights issue as a means of drawing the United States closer to the developing world. Still, as Muravchik notes: "given the records of most Third World governments on such central human rights matters as free expression, due process, or popular sovereignty, this issue should have been a source more of friction than of understanding with the U.S."⁷⁶ On the other hand, freedom and political participation cannot be guaranteed where there is poverty and the administration completely shared this view.

Certainly, the choice of including economic and social rights is worth to be noted, but then a question follows: what emphasis to give them? And what about the priority with respect to the other two categories listed by Vance in his Law Day speech and specified also by Carter in the PD-30? Since it's not possible of course to rank human rights and to choose which ones to emphasize, at the beginning of the administration the ideal aim was to make all these rights complementary and mutually reinforcing. The human rights diplomacy meant to protect all these rights as a whole. In the widespread variety of the real world,

⁷⁶ Muravchik, Joshua *cit.*, p.91.

though, this could be only an unattainable hope rather than a concrete political program. What really happened was that the administration put an extraordinary emphasis on the violations of the “integrity of the person”. The U.S. aimed first at stopping those episodes of governmental torture, undue imprisonment and unjust process perpetrated by the countries with which the United States had diplomatic relations.

The opening line of the presidential directive “reiterated the Carter administration’s overriding foreign policy commitment to promote international justice” and in this way the human rights issue became “more institutionalized and took on heightened importance”⁷⁷

For Carter, human rights was both a moral and a practical policy. Rather than completely abandoning the realism of the Nixon/Kissinger years, he argued that he could combine idealism and realism.⁷⁸ Carter made the connection between morality and power central to both foreign and domestic policy, but it was most apparent in foreign affairs.⁷⁹

Carter would later write:

“To me, the demonstration of American idealism was a practical and realistic approach to foreign affairs, and

⁷⁷ Crandall, Britta H. *Hemispheric Giants – The Misunderstood history of U.S.-Brazilian relations*, The Rowman & Littlefield Publishers, 2011, p.124.

⁷⁸ Stuckey, Mary E. *Jimmy Carter, Human Rights and the National Agenda*, Texas A&M University Press, 2008, p.XXIV.

⁷⁹ Idem, p.XXV.

moral principles were the best foundation for the exertion of power and influence”⁸⁰.

“It is clear that Jimmy Carter intended to get human rights on the national agenda. It is not clear that many of the elements that helped him accomplish this goal – the lack of clarity about his definition of human rights, the inconsistencies in managing the policy, the availability of multiple meanings allowing for multiple choice outcomes under different administrations – were the products of intentional behavior on Carter’s part. In fact, it is much easier to think that these things were not strategic at all. Nonetheless, their presence points to what may be a viable presidential strategy”.⁸¹

2.4 Jimmy Carter and Latin America.

“We cannot look away when a government tortures people, or jails them for their beliefs or denies minorities fair treatment or the right to emigrate... we should begin by having it understood that if any nation... deprives its

⁸⁰ Carter, Jimmy *“Keeping Faith”*, p.143.

⁸¹ Stuckey, Mary E., *cit*, pp. XXVIII-XIX.

own people of basic human rights, that fact will help shape our own people's attitude towards that nation's government".⁸²

It was September 8, 1976 and this was candidate Carter's first major speech emphasizing human rights and foreign policy during an appearance before the national convention of B'nai B'rith⁸³. In earlier speeches, Mr. Carter emphasized the need to 'restore the moral authority of this country in its conduct of foreign policy' by discarding 'policies that strengthen dictators or create refugees, policies that prolong suffering or postpone racial justice. "The B'nai B'rith speech in September, then, was notable for its emphasis on human rights considerations, not for its uniqueness. Only after this speech did the media firmly identify the issue of human rights as a major feature of the Carter campaign. Thereafter, statements about human rights became a prominent feature of the Carter campaign".⁸⁴ As it has been widely acknowledged, and also Schmidli affirms, "Carter's outspoken emphasis on human rights during the presidential campaign reflected the Georgian's religious beliefs and moralism but was also a savvy recognition of the national mood in the post-

⁸² Cited in Schoultz, Lars *cit.*, p.113.

⁸³ Founded in 1843, B'nai B'rith International is based in Washington D.C. and presents itself as "the Global Voice of the Jewish Community, the most widely known Jewish humanitarian, human rights, and advocacy organization. B'nai B'rith works for Jewish unity, security, and continuity and fights anti-Semitism and intolerance around the world". Website: <http://www.bnaibrith.org/>.

⁸⁴ Schoultz, Lars *cit.*, p.113.

Vietnam, post-Watergate era".⁸⁵ This explains why no one was surprised at all by the intention of having an absolute commitment toward human rights, stated in Carter's inaugural address. With respect to the Nixon-Ford years, it was definitely given much more emphasis to human rights, even though when Secretary Vance spoke before the Senate on February 24, 1977 he seemed to tone down the 'absolute commitment' of the administration. How much of a commitment, then? Cyrus Vance announced the administration's intention to cut aids to Argentina, Uruguay and Ethiopia because of their gross violations of human rights.⁸⁶ He also stated that human rights would have been incorporated in the U.S. foreign policy on a country-by-country basis. But, in any case, the political concern for human rights would have been balanced by economic and security goals. Therefore, perhaps it is safe to say that the efforts made by the administration would be more 'relative' than 'absolute'. "The general message that emerged was that human rights would have a significant place in nearly all foreign policy decisions but that the amount of significance would depend upon the nature of

⁸⁵ Schmidli, William M. *Institutionalizing Human Rights in U.S. Foreign Policy: U.S.-Argentine Relations, 1976-1980*, Diplomatic History, Vol.35 n.2 (April 2011), pp. 351-377, quotation at p.365.

⁸⁶ Indeed, both economic and military aids were cut already in 1978 for the three countries: the U.S. government suspended the economic aid toward Argentina from 1978 to 1984 and the military aid from 1978 to 1988; in the Ethiopian case, only military aid was suspended, from 1978 to 1989; finally, Uruguay experienced a reduction of economic aid, but not a total cut, and a suspension of military aid from 1978 to 1981. Source: US Overseas Loans & Grants [Greenbook], <http://gbk.eads.usaidallnet.gov/>.

other variables involved and, therefore, the countries involved.”⁸⁷ The “other variables” which the historian Lars Schoultz was possibly referring to were the strategic and economic interests the U.S. had toward human-rights-violator countries. These interests would have certainly prevailed on human rights considerations, had the administration been forced to make a choice between the two. A further aspect to take into account is that many of the major human rights violators were outside the U.S. sphere of influence.⁸⁸

“Once the Carter administration recognized that a universal, absolute standard of human rights would conflict with other foreign policy values to an intolerable extent – once the administration adopted a case-by-case approach to human rights abuses – attention shifted to the nations of Latin America. By the end of 1977, it was clear that the United States’ efforts to protect human rights were to be concentrated upon Latin America’s repressive governments”.⁸⁹

The Latin American region, historically linked to the United States with deep and intimate relations and not a focal Cold War theatre at the time, became the ideal place where to put into practice the new diplomatic directives.

⁸⁷ Schoultz, Lars *cit.*, p.118

⁸⁸ The United States had no diplomatic relations with Cambodia or Uganda, for example. This is one of the major critiques about the human rights diplomacy promoted by the Carter administration, that it was inconsistent and discretionary.

⁸⁹ Schoultz, Lars *cit.*, pp.118-119.

It was necessary to set the overall approach toward the Latin American region: should the U.S. move away from the traditional regional special relationship? Maybe it was the time to drop the rhetoric about a special relationship and deal with Latin America on bilateral, regional, or global levels depending on the issues. Definitely, the first thing to do was to define the U.S. interests in the hemisphere and then to decide on the need for a special relationship. Military and economic assistance could provide a good opportunity to influence Latin American governments on human rights and other matters.⁹⁰

According to National Security Adviser Brzezinski,

"The notion of a special policy is ahistorical. [...] The Monroe Doctrine which underlines this approach is no longer valid. It represents an imperialistic legacy which has embittered our relationships. [...] if [the] relationships are to become healthier, then we need to put them on a more normal footing".⁹¹

For Brzezinski, two parallel strategies had to be implemented: on the one hand, the U.S. had to stress the bilateral relations with Latin American countries and, in the other, the region's problems needed to be seen in a wider global context. The new administration's intention not to have a "blanket policy for all cases" emerged clearly, since

⁹⁰ It is very interesting the debate that took place during the Policy Review Committee Meeting *Latin America*, March 24, 1977, Secret, Digital National Security Archive (Hereinafter DNSA), NARA.

⁹¹ *Idem*, p.3.

it was very well aware that “constructive relations demand greater specificity”. Of major importance was to decide how to deal with military regimes.⁹² Deputy Secretary of State Christopher suggested to adjust U.S. relations so as to differentiate according to the kind of regime:

“Warm relations with civilian and democratic governments, normal relations with non-repressive military regimes, and cool but correct relations with repressive governments”.⁹³

On this, there was a general consensus within the administration.

But in the case of human rights, there was common agreement on the importance of having a similar policy for the hemisphere as for the rest of the world, because it was important to pursue a single policy on human rights. A major aim was to explore ways to express the human rights policy in a more affirmative manner.

“The Executive should seek greater discretionary authority from Congress so as to be able to make important definitional distinctions. For example, we should define gross violations of human rights as torture or degrading treatment instead of denial of due process. This would draw a line in which only seven-to-ten

⁹² Many Latin American countries were led by military regimes when the Carter’s administration entered into office: Argentina, Bolivia, Brazil, Chile, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Nicaragua, Panama, Paraguay, Peru, and Uruguay.

⁹³ *Idem*, p.5.

countries would be in violation rather than 60-to-80. Our influence on trying to mitigate repressive policies abroad is likely to increase proportionately".⁹⁴

These recommendations were all incorporated in the President's speech before the Permanent Council of the Organization of American States (OAS) held on April 14, 1977. Carter announced before the –then 26– OAS member States the new approach the U.S. administration meant to have toward the hemisphere:

"[...] a single United States policy toward Latin America and the Caribbean makes little sense. What we need is a wider and a more flexible approach, worked out in close consultation with you. Together, we will develop policies more suited to each nation's variety and potential. [...] Our own goal is to address problems in a way which will lead to productive solutions--globally, regionally, and bilaterally"⁹⁵.

Carter also announced that the U.S. new approach would be based on three elements:

"First of all is a high regard for the individuality and the sovereignty of each Latin American and Caribbean

⁹⁴ Information Memorandum for the President from Brzezinski *PRC Meeting on Latin America*, March 31, 1977, Secret, p.3, Declassified Documents Reference System (Hereinafter DDRS), NARA.

⁹⁵ Carter, Jimmy *Organization of American States Address before the Permanent Council*, April 14, 1977, PPPUS (available online at <http://www.presidency.ucsb.edu/ws/index.php?pid=7347&st=&st1=>).

nation. We will not act abroad in ways that we would not tolerate at home in our own country.

Second is our respect for human rights, a respect which is also so much a part of your own tradition. Our values and yours require us to combat abuses of individual freedom, including those caused by political, social, and economic injustice. Our own concern for these values will naturally influence our relations with the countries of this hemisphere and throughout the world. You will find this country, the United States of America, eager to stand beside those nations which respect human rights and which promote democratic ideals.

Third is our desire to press forward on the great issues which affect the relations between the developed and the developing nations. Your economic problems are also global in character and cannot be dealt with solely on regional terms".⁹⁶

These words expressed two main ideas: it was true that the U.S. intended to outline a new kind of relationship with Latin America, namely to favor bilateral relations instead of having a generic regional approach, but the U.S. would still pay attention to Latin American regimes' internal affairs "even if they were pro-United States in their foreign policies". Carter intended to use human rights as the tool through which pressure Latin American governments for reform. The denial of human rights could not be overlooked any longer. Was it effectively, as John K.

⁹⁶ Idem.

Damico⁹⁷ says, “a return to an emphasis on Wilsonian idealism”? Or was it rather realism expressed through idealistic concepts? However, Carter’s tactics differed from Wilson’s. “While Wilson tried to impose United States-style democracy on other peoples through military force, Carter would not consider that option. Instead, he would pursue a combination of economic sanctions, public and private nagging and dissociation in an effort to force foreign regimes to comply with international human rights standards”.⁹⁸

Also according to Schmidli, the policy shift represented by the Carter administration’s, and especially Patricia Derian’s, “highly visible human rights advocacy reflected a major rupture with the previous three decades of U.S. Cold War foreign policy toward Latin America”.⁹⁹ This rupture was also deeply unwanted and opposed by Washington’s policymaking *élite* and the business community.

The centrality of the Latin American region in the new administration’s foreign policy was proved by the publication on January 26, 1977¹⁰⁰ of the Presidential Review Memorandum/NSC 17 on Latin America, which

⁹⁷ John K. Damico is Associate Professor of History at the Georgia Perimeter College (Atlanta, GA). In 1999, he obtain his Ph.D. at the Mississippi State University, discussing a dissertation entitled “From Civil Rights to Human Rights – The Career of Patricia M. Derian”.

⁹⁸ All quotations from Damico, John K. *cit.*, p.116.

⁹⁹ Schmidli, William M. *cit.*, p.353.

¹⁰⁰ To be noted, less than a week after President Carter’s inauguration.

dealt with the future developments of the U.S. diplomatic action toward the region. The PRM 17 stated the necessity of a study, to be completed by March 1, 1977, analyzing the major issues of concern to the U.S. and Latin America. The policy review had to concentrate on six areas of interest, one of which, listed as issue number 3, was precisely human rights. According to the document:

“What options are available for U.S. foreign policy to reflect a higher and more effective level of concern for fundamental human rights in all nations? Options should be developed for U.S. policy in: a) bilateral relationships (taking into consideration distinctions between degrees of human rights violations and types of governments); (b) multilateral organizations [...]; and (c) signing and ratification of various conventions, including the American Convention on Human Rights. A discussion should also be included of ways to strengthen the internal capacity of the U.S. Government to assess reports and to make determinations on ‘consistent patterns of gross violations of human rights’”.¹⁰¹

Carter refused to continue the past practice of overlooking the human rights abuses of U.S. allies¹⁰², and intended to do that especially with those countries

¹⁰¹ Presidential Review Memorandum (PRM)/NSC 17 *Review of U.S. Policy Toward Latin America*, January 26, 1977, Secret. Available online at: <http://www.fas.org/irp/offdocs/prm/prm17.pdf>.

¹⁰² The U.S. Department of State emphasizes the change Jimmy Carter intended to give to the U.S. role in the world. See: <http://history.state.gov/departmenthistory/short-history/carter>.

traditionally very close (both geographic and diplomatic terms) to the U.S. As Schmidli has affirmed, "Carter aimed to dramatically shift U.S. policy from subtle support for the military's 'dirty war' to public condemnation of human rights violations". The turnabout needed to be dramatic, and had to show immediately how deep was the change of attitude of the new administration. The institutions and the diplomatic corps had to put immediately into practice the new directives. Within the Department of State, the two bureaus responsible for the implementation of United States policy on human rights in Latin America were the Bureau of Inter-American Affairs (ARA) and the Bureau of Human Rights and Humanitarian Affairs (HA). The former, responsible for the day-to-day diplomatic interaction with Latin American countries, was pretty reluctant in raising publicly the issue of human rights abuses. Schoultz underlines that "under the Carter administration the Bureau occasionally accepted the risk of straining relations. [...] Throughout the late 1970s, the Bureau maintained its reputation for renitency on the human rights issue. Much of this reputation was underserved, for the Carter ARA regularly used quiet diplomacy in defense of human rights. But because it was quiet, ARA's diplomacy often went unnoticed".¹⁰³ On the other hand, the Bureau of Human Rights and Humanitarian Affairs played a central and visible role during the years of the Carter administration. "Most of HA's considerable bureaucratic strength stemmed, of

¹⁰³ Schoultz, Lars *cit.*, p.122.

course, from President Carter's emphasis upon the international protection of human rights, an emphasis that was most evident in United States policy toward Latin America".¹⁰⁴ In the near future, the administration intended to use the United States' vast political and economic influence to stop disappearances and the use of torture, and to reduce the number of political prisoners. In the longer run, the U.S. aimed to encourage "greater respect for judicial independence and trade union rights, a relaxation of controls on freedom of the press and assembly, and progress toward political re-democratization".¹⁰⁵

Throughout the 1970s the U.S. Congress had already sketched the legal framework in order to put the U.S. influence in practice especially in the field of military assistance, relating human rights and U.S. assistance programs. "For military assistance provide[d] the most direct, symbolic, as well as practical, relationship between [U.S.] government and the repressive practices of other governments".¹⁰⁶ Indeed, most repressive governments were military governments and, consequently, military aid was the best tool to impose "aid sanction" in the case of repressive governments. Section 502(B) of the Foreign Assistance Act, revised and strengthened in 1976, denied all forms of military assistance and sales to governments

¹⁰⁴ Schoultz, Lars *cit.*, p.126.

¹⁰⁵ Schmidli, William M. *cit.*, pp.365-366.

¹⁰⁶ Salzberg, John *The Carter Administration: an Appraisal – A Congressional Perspective*, Journal of International Law and Policy, Vol.8 (1979), pp. 525-536.

engaged in a consistent pattern of gross violations of internationally recognized human rights. It was precisely according to section 502B that the Department of State was required to submit annually to the Congress a report on the status of human rights in each country which was to receive either military or development assistance. "Ironically, the most significant relationship of military assistance and human rights [was] taken at the initiative of several recipient Latin American governments. In response to State Department's Human Rights Country Reports issued in 1977, the countries of Brazil, El Salvador, Guatemala, Argentina and Uruguay decided, on their own initiative, that they would not accept U.S. military assistance. They did this on the grounds that they felt such treatment was insulting to their national dignity".¹⁰⁷ As shown in Table 1, during the years of the Carter administration the U.S. military assistance towards these countries either was totally suspended or was considerably cut with respect to the Ford administration.

"Recently the President of the IDB stated that the majority of Latin American nations view human rights as a political problem which should not interfere in the economic deliberations of development institutions".¹⁰⁸

¹⁰⁷ Idem.

¹⁰⁸ PRM-28, p.55.

Country	FY1975	FY1976	FY1976tq	FY1977	FY1978	FY1979	FY1980	FY1981
Argentina	105.063.597	111.971.213	315.713	2.184.709	0	0	0	0
Brazil	227.492.357	143.439.608	315.713	139.385	0	0	0	0
El Salvador	18.684.566	3.311.948	315.713	1.739.283	8.516	10.508	14.348.369	78.131.683
Guatemala	9.947.882	6.575.048	315.713	1.502.934	2.839	5.254	0	0
Uruguay	31.365.498	10.938.874	8.524.264	60.602	0	0	0	0

Table 1: U.S. Military Assistance, Constant 2011 \$US

Source: U.S. Overseas Loans & Grants [Greenbook], <http://gbk.eads.usaidallnet.gov/>

Prepared by USAID Economic Analysis and Data Services on February 5, 2013

tq—In 1976 the U.S. Government changed the fiscal year from July-June to October-September. The Transition Quarter (TQ) reports the 3 month adjustment period of July, August and September in 1976.

2.5 The United States and Brazil in the late 1970s.

The years of the Carter presidency are considered by the literature as the low point in the history of the bilateral relations between the United States and Brazil. It has to be acknowledged that so far there has been a limited historiographical interest on U.S.-Brazilian diplomatic relations during the four years of the Carter administration; still, in these recent years, some historians have focused on the topic a bit more attentively. And it is commonly observed that the policy of President Jimmy Carter led swiftly to a major crisis in U.S.-Brazilian relations¹⁰⁹, up to the point that it is possible to consider those years as years of estrangement between the two countries¹¹⁰. "Carter singled out Brazil to test some of his ideas on non-proliferation and human rights promotion" and this led to "increased acrimony in a relationship that had little prior experience of overt conflict".¹¹¹ It is true that Washington was upset by the nuclear ambitions of Brasilia and the refusal to abandon its nuclear development program and to suspend the agreements signed with the Federal Republic of Germany, but it was especially because of the dramatic shift in the realm of human rights that tensions began to

¹⁰⁹ Power, Timothy J. *Carter, Human Rights, and the Brazilian Military Regime: Revisiting the Diplomatic Crisis of 1977*, University of Oxford, Draft of December 2005.

¹¹⁰ Spektor, Matias *Equivocal Engagement: Kissinger, Silveira and the Politics of U.S.-Brazil Relations (1969-1983)*, Ph.D. Thesis, St Cross College, Oxford, Michaelmas 2006.

¹¹¹ Spektor, Matias *cit.*, p.23 and p.246.

escalate and “there were serious implications for the quality of the bilateral relations”.¹¹² Since 1977, tensions and disagreements represented a constant in the dialogue between Washington and Brasilia, but it is perhaps an overstatement to affirm that “the two countries disagreed on essentially every issue”.¹¹³

What is necessary to be kept in mind is that the bilateral relationship, even if tense to an unprecedented extent, never ran the risk of being broken. There were moments in which the tension became very high, especially during the first year of the Carter mandate, but diplomatic efforts were continuously made to keep the dialogue could remain open. The major conflicts emerged because Brasilia interpreted the pressures about human rights as an infringement of Brazil’s national sovereignty, and therefore “the bilateral relationship lost any semblance of amicability experienced during Nixon’s or Ford’s presidency”.¹¹⁴

During the years of these two administrations, in fact, Secretary of State Henry Kissinger managed to forge close relationship with the highest echelons of the Brazilian military government, especially with the Foreign Minister Antonio Azeredo da Silveira. The two foreign ministers had a very frank dialogue, a strong mutual respect, and a personal friendship. It had been on initiative of Henry Kissinger that the two countries had come to the signing of

¹¹² Crandall, Britta H. *“Hemispheric Giants – The Misunderstood history of U.S.-Brazilian relations”*, Lanham-Boulder-New York-Toronto-Plymouth, UK, The Rowman & Littlefield Publishers, 2011, p. 119.

¹¹³ Idem.

¹¹⁴ Idem.

the Memorandum of Understanding in February 1976. Kissinger intended to set up a formal arrangement, through which he could be sure the United States would have a special relationship with Brazil. Brazil was considered the key hemispheric country and the reason why it “mattered so much to the U.S. was that it had sufficient influence to be able to penetrate certain regions of the world where Washington simply had no diplomatic entry of its own”.¹¹⁵ The Memorandum “provided for regular bilateral consultative meetings on a wide range of levels”, hence creating a “mechanism to insure that vital questions could be discussed routinely, before misunderstandings could grow”.¹¹⁶ On the Brazilian side, Silveira wanted an agreement establishing “high level consultations, between autonomous parts dealing under equal conditions”.¹¹⁷ The Kissinger-Silveira deal led to a robust U.S.-Brazil engagement. The United States recognized the rising international role of Brazil, and through the Memorandum of Understanding decided to formalize the decision to embrace and integrate it into its foreign policy strategy.

Not surprisingly, therefore, if the news of the election of Jimmy Carter aroused very mild reactions in Brasilia.

¹¹⁵ Spektor, Matias *cit.*, p.207.

¹¹⁶ Skidmore, Thomas E. *The politics of military rule in Brazil, 1964-1985*, Oxford University Press, 1988, p.195.

¹¹⁷ Silveira a Geisel, Informação secreta para o Senhor Presidente da República, Brasília, 13 February 1976, n. 61, AAS 1974.03.26 quoted in Spektor, Matias *cit.*, p.209.

“Although followed with intense interest, the election of Jimmy Carter was received calmly in Brazil, notwithstanding the candidate’s earlier critical references to the country’s internal political situation. President Geisel [...] affirmed that ‘Brazil and the United States have always been traditionally friendly countries, and consequently there is no concern whatever on the part of Brazil over the result of the contest’.”¹¹⁸

The election was generally viewed as unlikely to alter close relations and the Brazilian military leadership intended to strengthen even further the existing ties. Carter’s critical statements were interpreted as campaign rhetoric which did not necessarily indicate his attitude as President. On the other hand, representatives of the Brazilian Democratic Movement (*Movimento Democrático Brasileiro* – MDB), the official opposition party to the military regime, warmly welcomed the news of the new U.S. president. They expressed “the belief that Jimmy Carter’s emphasis on democracy and human rights might have a positive impact abroad:

For the Brazilian opposition the popular decision in the United States has a special connotation, having also in view the importance that Carter gave in his campaign to

¹¹⁸ Telegram from Amembassy Brasilia to Secstate Washington DC *Reaction of Brazilian Political Leaders to Election of Carter*, November 5, 1976, Unclassified, NARA DNSA.

the exercise and practice of democracy in brother countries".¹¹⁹

Certainly in the Brazilian opposition movements against the military regime, such as student groups, representatives of the Christian Church, politicians and supporters of the MDB there was sympathy and appreciation for Carter's stance on human rights.¹²⁰

However, the prevailing view was that Carter did not represent a basic change in the American political system and that, among other factors, the strategic importance of Brazil in the Western world would guarantee a continuance of cordial relations.¹²¹ According to a CIA estimate of January 1977:

"The prospect of a Carter administration has generally been viewed favorably throughout Latin America. Brazilian officials, however, are concerned about the incoming administration's negative views of Brazil's nuclear accord with West Germany [...]. Foreign Minister Silveira [...] said that the period of better understanding with the US is about to end. Although President Geisel has expressed the hope that the traditionally close relationship with the U.S. will be maintained and strengthened, he can be expected to register a sharp protest if the nuclear contracts with the Germans fall through or if implementation is

¹¹⁹ Idem.

¹²⁰ Crandall, Britta H. *cit.*, p.125.

¹²¹ Telegram from Amembassy Brasilia to Secstate Washington DC *Reaction of Brazilian Political Leaders to Election of Carter*, November 5, 1976, Unclassified, NARA AAD.

postponed. Putting the nuclear controversy aside, most Brazilians hope that U.S. leaders will continue to treat Brazil as an emerging power and will work to strengthen bilateral economic ties".¹²²

Nevertheless, as the following paragraphs will show, in the first months of the Carter mandate the dialogue between the two countries would reach very harsh tones. I will proceed chronologically, reviewing the main developments of the U.S.-Brazilian relationship, highlighting three key turning points of the four years 1977-1981. In March 1977, the State Department released the human rights report assessing the respect and the protection of fundamental human rights in Brazil: this was the moment in which the diplomatic crisis burned up. The following year, in March 1978, President Carter visited Brazil: in this occasion, there was a partial diplomatic rapprochement between the two countries. Finally, in March 1979 João Baptista Figueiredo became the new President of Brazil, the Brazilian military dictatorship entered a new phase and the diplomatic relations with the United States gradually improved. 1979 was a year that represented a turning moment in the Brazilian internal history, but it was also –and especially– a decisive year for the wider international context. The second oil shock, the Iran hostage crisis, and the Soviet invasion of Afghanistan

¹²² CIA Intelligence Memorandum *Foreign perceptions of the incoming US administration*, January 7, 1977, Top Secret, CIA Records Search Tool (Hereinafter CREST), NARA.

caused a dramatic shift of attention towards other issues rather than the human rights policy. The United States rushed down again in a Cold War climate, assertiveness and security had to become the new foreign policy guidelines.

3. CARTER SWORN INTO OFFICE: THE DIPLOMATIC CRISIS ARISES.

3.1 The nuclear issue.

The very first weeks after Jimmy Carter was sworn into office as the 39th President of the United States were immediately characterized, among the other things, by intense and constant contacts with the Brazilian military leadership. But it was not because of human rights that a rift emerge between the two countries, the issue of contention was nuclear technology.

The Brazilian necessity to look for alternative energy sources was due to the fact that the country didn't have fossil fuels and, moreover, since 1973 the price of oil had increased four times. Brazil wanted to acquire a nuclear capacity to meet its needs of developing country. The acquisition of nuclear technology was "as issue on which the U.S. had strong views"¹²³, especially if it included the complete fuel cycle, that is to say the nuclear plant plus the uranium-enriching technology, because it could be used to produce also nuclear weapons. And, since the end of WWII and even more in the 1960s/1970s, the U.S. had campaigned to prevent the proliferation of nuclear weapons technology. Given that the Soviets, the British and the French had become very rapidly self-sufficient in all phases of the

¹²³ Skidmore, Thomas E. *cit.*, p.193.

nuclear technology, the U.S. started to assume a very firm stance towards less powerful developing countries that wanted to develop atomic power. "In the short run such countries had little choice but to seek nuclear technology, which in Brazil's case meant the U.S.".¹²⁴ In fact, in 1972 the U.S. company Westinghouse Electric signed a contract to build the first Brazilian nuclear power plant and to supply enriched fuel from its plant in Tennessee. In 1973, also due to the first oil shock which increased the oil prices to levels never reached before, the Brazilians started to press Westinghouse asking for a contract that would provide them with the entire fuel cycle. But the American company in response offered only more reactors, with the assumption that Brazil would have continued to depend on the U.S. for enriched fuel. In 1974 the Brazilian government decided that couldn't bear any longer to depend on a foreign source for the crucial element in the nuclear fuel cycle, also because in the meantime India obtained the technology from the Canadians and exploded the bomb in May 1974. India was the first country of the Third World to get the bomb and this news deeply annoyed the Brazilian government. Finally, when the U.S. Atomic Energy Commission announced that the U.S. could no longer guarantee the supply of enriched uranium, Brazil realized that it was definitely time to seek out alternative nuclear powers.¹²⁵ It was thus in record time and strict secrecy that Silveira worked out an agreement with West Germany that

¹²⁴ Idem.

¹²⁵ Spektor, Matias *cit.*, p.175.

would grant Brazil the entire nuclear-fuel cycle.¹²⁶ West Germany seemed to be the best country to address: it had a very advanced nuclear technology and, on the other hand, the Federal Republic of Germany (FRG) was one of the poles around which Brazil wanted to build its new international geopolitics. The agreement between the two countries was signed in June 1975 and the news came on the international scenario as a bolt from the blue; the U.S. was also totally surprised and deeply concerned. The apprehension was justified by the prospects of a Brazilian nuclear weapon. After all, to use Spektor's words, "this was an authoritarian military regime with growing international-power aspirations which had refused to sign the NPT"¹²⁷ (Non Proliferation Treaty) in 1968. As soon as the U.S. knew about the deal, Washington started to put pressure on Bonn in order to increase controls. Neither the U.S. nor the FRG ever spoke to the Brazilians about their contacts.

U.S. pressures were quite mild, also because the personal friendship between Kissinger and Silveira made possible a continuation of the dialogue also between their respective countries.

With the election of Jimmy Carter the nuclear issue gained impetus, since the new President put a high priority

¹²⁶ At the time this was the most ambitious nuclear deal of all times, including uranium exploration and mining, enrichment, fuel fabrication, spent fuel reprocessing, and the construction of some 8 nuclear power plants. See Spektor, Matias *cit.*, p.175.

¹²⁷ Spektor, Matias *cit.*, p.175.

on preventing nuclear proliferation and had decided to make it one of the core themes of its foreign policy.

“Brazil’s approximation to becoming nuclear power certainly woke up Washington to the real potential of its historically pacific southern neighbor. The Carter administration’s concern with Brazil, coupled with the acknowledgment of its importance, led to a high degree of policy attention”.¹²⁸

Both the human rights and the nuclear non-proliferation issues were raised in the weeks after November 5, 1976, when Jimmy Carter was elected, even before the inauguration of his presidency. Despite the lukewarm optimism expressed by the Brazilian government about the conservation of friendly relations with the U.S. as soon as Carter’s victory was announced, anxiety and defensiveness rapidly emerged. In the end of November 1976, the U.S. ambassador in Brasilia Crimmins wrote:

“Anxiety has mounted since President-elect’s comments about Brazil’s military government in Playboy interview¹²⁹, his continuing emphasis on human rights

¹²⁸ Crandall, Britta H. *cit.*, p.126.

¹²⁹ Jimmy Carter was interviewed by Robert Scheer of “Playboy” for the November 1976 issue. In the interview he affirmed: “When Kissinger says, as he did recently in a speech, that Brazil is the sort of government that is most compatible with ours - well, that’s the kind of thing we want to change. Brazil is not a democratic government; it’s a military dictatorship. In many instances, it’s highly repressive to political prisoners. Our Government should justify the character and moral principles of the American people, and our

and his recent comments about using diplomatic means to bring about reconsiderations of the transfer of sensitive nuclear technology such as the FGR-Brazil agreement".¹³⁰

Itamaraty, the Brazilian Foreign Minister, seemed to be reconsidering the results and the consequences of the election of President-elect Carter. In Congress, both the government party (ARENA) and the opposition party (MDB) decided to discuss about the first statements of president-elect Carter about human rights and nuclear reprocessing. ARENA spokesmen voiced relatively mild criticism, trying to avoid frictions with the new U.S. administration, while MDB spokesmen welcomed Carter's human rights remarks, but defended the Brazil-FRG nuclear agreement.¹³¹

Once Carter entered into office on January 20, 1977, it was precisely the nuclear issue that was immediately tackled. Only a few days after the inauguration, vice President Mondale flew to Bonn to meet Chancellor

foreign policy should not short-circuit that for temporary advantage". These words caused a very harsh reaction in Brazil, despite the fact that the definition of the Brazilian government as a "military dictatorship" was omitted from the Brazilian edition of the magazine (Power, Timothy *cit.*, p.5). The interview is now available in *Jimmy Carter: 50 Years of the Playboy Interview*, Playboy Enterprises, 2012.

¹³⁰ Telegram from Amembassy in Brasilia to Secstate Washington DC *Concern grows over President-elect Carter's Brazilian policy*, November 27, 1976, Confidential, NARA AAD.

¹³¹ Telegram from Amembassy in Brasilia to Secstate Washington DC *Brazilian Congressional Reaction to President-elect's Statement on Human Rights and Non-proliferation*, December 10, 1976, Unclassified, NARA AAD.

Helmut Schmidt and inform him about the absolute U.S. opposition to the Brazil-FRG nuclear deal. Brasilia was not informed at all about the U.S.-FRG conversations and, when the Brazilian government found the news¹³², its reaction was really bad. “It was troubling that the week-old Carter administration would take such swift and dramatic action against the nuclear accord—widely considered a great diplomatic victory by Brazilians and dear to nationalist sentiment in Brazil”.¹³³ The U.S. behavior showed to be quite contrary to the agreements guaranteed by the 1976 Memorandum of Understanding, which stated that all matters of concern to both the United States and Brazil would be discussed directly between the two nations. In this case, this was not true and the American government bypassed the Brazilians. It was only on March 1, 1977 that a U.S. delegation, led by Deputy Secretary of State Christopher, arrived in Brasilia to discuss directly with the Brazilian government about the German-Brazilian nuclear accord. Still, there are not U.S. records available but only a summary of the meeting written by *chanceler* Silveira¹³⁴. Silveira’s description of the events is very precise and he attentively tells about the three meetings held on March 1, 1977: two in the morning and one in the

¹³² Pro-Memória *Acordo Nuclear Brasil-RFA. Pressões Norte-Americanas, Secreto-Exclusivo*, April 12, 1977, AAS mre d 1974.04.23.

¹³³ Power, Timothy *cit.*, p.6.

¹³⁴ Resumo da *Troca de Pontos de Vista entre o Ministro Antonio F. Azeredo da Silveira e o Senhor Warren Christopher, no Palacio do Itamaraty, no Dia 1º de Março 1977*, Unclassified, no date, AAS mre d 1974.03.26.

afternoon¹³⁵. Christopher stressed many times that the U.S. did not intend to convince Brazil to abrogate the nuclear agreement with the Germans, but to offer some alternatives. More specifically, Warren Christopher said that president Carter's major interest was to discuss bilaterally the Brazilian development of nuclear explosives capabilities and to express the American will to cooperate in order to solve the increasing Brazilian energy needs. The Brazilians, instead, seemed to be more interested in discussing multilaterally the global development of nuclear weapons and did not intend to suspend the nuclear program. No result was achieved during the three rounds of meeting and Warren Christopher and his entourage left Brazil the day after their arrival, earlier than scheduled. Then, the U.S. pressures resulted to be totally ineffectual. Nevertheless, on March 25, 1977 Jimmy Carter wrote a letter to the Brazilian President Ernesto Geisel referring to "the frank talks that Deputy Secretary Christopher and Foreign Minister Silveira had on March 1", talks that Carter considered "another helpful step in our relationship"¹³⁶. Furthermore, Carter explicitly referred to the non-

¹³⁵ The first meeting took place in the morning at 9:30 and lasted two hours, there were two restricted groups of the two delegations. The U.S. was represented by Undersecretary Warren Christopher, Ambassador John Crimmins, Mr Joseph Nye, Mr Charles Bray, and Mr Dennis Lamb. The Brazilians were: Foreign Minister Antonio Azeredo da Silveira, Ambassador Ramiro Saraiva Guerreiro, Ambassador Paulo Cabral de Melo, Ambassador Geraldo Holanda Cavalcanti, Professor Horacio de Carvalho, and Mr Paulo Nogueira Batista. The second meeting took place later that morning from 11:45 to 1:50 p.m., and the third in the afternoon from 5:15 p.m. till 6:30 p.m.

¹³⁶ Letter from Carter to Geisel, March 25, 1977, AAS mre be 1976.00.00.

proliferation issues on which the two countries had a different approach:

“We recognize how important these questions are for Brazil. The proposals we have made to your Government represent our serious and sincere effort to take into account your need for expanded and secure energy resources. They also represent an attempt to help develop a new global framework that will preserve the distinction between peaceful and non-peaceful uses of the atom. I know that you share this goal, and I hope that our temporary differences will not prevent you from joining us to find mutually acceptable solutions”.¹³⁷

Despite the mildly optimistic tones expressed by President Carter, it actually happened that the unsuccessful Mondale and Christopher missions negatively affected the atmosphere of the U.S.-Brazil dialogue. Only three days after Christopher left Brasilia, in fact, the human rights issue made its explosive appearance on the bilateral agenda.

¹³⁷ Idem.

3.2 The human rights report.

Was the human rights rhetoric the expression of a new political discourse in the international scenario, the tool through which let the détente be the paradigm of international relations? Or was it rather a way to assert the continuing primacy of the United States, precisely reaffirming the bipolar logic of the Cold War confrontation? A moral rhetoric with very pragmatic purposes: the respect of basic human rights became a new way to influence the behavior of allies and friends and to exert pressures, enough to condition a foreign government's eligibility to United States military aid and arms sales on its human rights record.

The amendments made in 1976 to the Foreign Assistance Act, namely through the introduction of the section 502(B), mandated the preparation of *Country Reports on Human Rights Practices* about the countries receiving security assistance from the United States. In case the recipient countries resulted to be persistent violators of basic human rights, the military aid had to be suspended. It needs to be highlighted that the country report on Brazil was prepared and finalized by December 1976¹³⁸, still during the Ford administration and under the supervision of the Department of State headed by Henry Kissinger. The reports were divided into four sections: political situation,

¹³⁸ Telegram from Secstate Washington DC to Amembassy Brasilia *Human Rights Report on Brazil*, Limited Official Use, December 28, 1976, NARA AAD.

legal situation, observance of internationally recognized human rights, and other human rights reporting; in the final section the State Department compared its opinion with that of specialized human rights organizations, such as Amnesty International or Freedom House.

The human rights report on Brazil did not express severe judgments and offered an accurate description of the respect of human rights within the Brazilian territory. The assessment about the internal political situation was rather positive, recognizing the Geisel administration's commitment to "a gradual relaxation of the strict centralized controls over political and civil liberties".¹³⁹ The report acknowledged some improvements in recent months and stated: "Since January 1976, [...] human rights advocates [...] have stated in public reports and interviews that persons arrested in security cases are for the most part not being subjected to torture or harsh conditions of interrogation or confinement; very few charges of abuse have arisen in this time period involving political detention".¹⁴⁰ Nevertheless, even though the Brazilian government had started to put into practice countermeasures and investigations, "various kinds of police abuses not involving political detainees ha[d]

¹³⁹ The final version of the report assessing the "Human Rights Practices in Countries Receiving U.S. Security Assistance" is available in the Brazilian records. See AAS mre be 1974.03.15.

¹⁴⁰ AAS mre be 1974.03.15.

continued unabated [...]. The 'death squads', believed to be clandestine associations of off-duty policemen, prey[d] mostly on common criminals and suspects; their victims show[ed] evidence of torture". There were still undeniable negative aspects in the decade-long military dictatorship, but Geisel's *abertura* was praised.¹⁴¹ It was noted, for example, that media censorship was at "its lowest level since the mid-sixties". As required by law, the final part of the report cited recent investigations and analyses made by organizations such as Amnesty International, the Red Cross, the Inter-American Commission on Human Rights, and the International Commission of Jurists. Finally, the report quoted the Freedom House's evaluation of the Brazilian political situation as "partially free". According to the historian Timothy Power, "the March 1977 report was a reasonably accurate portrayal of the Brazilian situation at the time".¹⁴²

It had been arranged that the reports had to be delivered to the Senate Foreign Relations Subcommittee on Foreign Assistance on March 4, 1977. The final draft of the report on Brazil was sent to the U.S. embassy in Brasilia in the afternoon of March 3, and the day after it would become an official and public document. The U.S. ambassador, John Crimmins, decided to release right away the file to Brazilian officials. Just a few hours later the Brazilians returned the report and their reaction was

¹⁴¹ Spekter, Matias *cit.*, p.251.

¹⁴² Power, Timothy *cit.*, p.10.

incensed. "The Geisel government reacted with calculated fury. Foreign Minister Silveira denounced the intolerable interference in Brazil's internal affairs. By pursuing the cause of human rights through bilateral aid, the U.S. Congress had aroused Brazilian nationalism".¹⁴³

It was only among the ranks of the Catholic Church that the human rights report was greeted warmly and appreciated. Cardinal Arns, major opponent to the military regime and tireless defender of human rights, affirmed that the report "was one of the most significant recent developments in Brazil"¹⁴⁴ and believed that its publication "stemmed a trend toward deterioration in human rights practices in Brazil".¹⁴⁵ Cardinal Arns stated it was necessary to publicize the text more in order to keep the human rights issue well in the foreground of government and public concerns.

Still, the Brazilian government considered the assessment made by the U.S. human rights report as an intolerable interference in its own internal affairs. The Brazilian government, as a consequence, decided, first, to unilaterally denounce the U.S.-Brazilian Military Agreement signed in March 1952 and, then, to refuse in advance any military assistance for 1977. Actually, it was a symbolic action which slightly affected the Brazilian

¹⁴³ Skidmore, Thomas *cit.*, p.197.

¹⁴⁴ Telegram from AmConsul São Paulo to SecState Washington DC *Cardinal Arns Views on U.S. Human Rights Report*, May 19, 1977, Confidential, NARA.

¹⁴⁵ *Idem.*

military capabilities. The military aid refused by the Brazilian government totaled, in fact, just U.S. \$50 million of the Foreign Military Sales (FMS) Financing Program of the International Military Education and Training (IMET) Program for credits of arms purchasing (just the 2.5% of the Brazilian defense budget, as Spektor notes¹⁴⁶) plus \$100,000 for training. Brazil was rapidly moving toward arms self-sufficiency, provided for itself of 75% of its own military needs and was becoming one of the major exporters of military materials. The military accord with the U.S. had, therefore, a diplomatic significance rather than a concrete usefulness and the choice to denounce it represented a symbolic shift in the history of bilateral relations. Brasilia was sending the clear message to Washington that no one could dare to interfere in matters of national sovereignty, not even the historical hemispheric ally, whose help indeed Brazil could now do without. It signaled a strong deterioration of the relationship between the two countries.

According to the Brazilian military, U.S. human rights policy had become “exceedingly interventionist”¹⁴⁷ and Geisel’s decision was praised even by some MDB leaders, who “closed ranks publicly behind the government”.¹⁴⁸

¹⁴⁶ Spektor, Matias *cit.*, p.252.

¹⁴⁷ Hirst, Monica *The United States and Brazil – A Long Road of Unmet Expectations*, Routledge, New York, 2005, p.52.

¹⁴⁸ Skidmore, Thomas *cit.*, p.197.

On March 11, 1977 the Government of Brazil officially announced its decision on the 1952 military agreement and declared:

“As a consequence of the introduction of changes in U.S. law, which unacceptably changed the conditions in which the military cooperation between the two countries had been processing under the auspices of the Agreement signed in Rio de Janeiro on March 15, 1952, the Brazilian Government informed the Government of the United States of America [...]of its decision to terminate the Agreement. This attitude is the consequence, for the same reasons, of the refusal to accept any assistance in the military field that -directly or indirectly- depends on the examination by foreign government agencies in matters which, by their nature, are under the sole jurisdiction of the Brazilian Government”.¹⁴⁹

On that same day, a Weekly National Security Report stated:

“The effects of a new US policy on human rights continued to reverberate throughout the Southern Cone countries of Latin America [...] Expressions of national indignation have been heard from these countries individually and collectively. Today Brazil cancelled its 25 year old Mutual Defense Agreement with the United States. Internally, moderates – urging a better policy on human rights – and hard liners – urging a tough response to US interference – are debating the kind of response

¹⁴⁹ Nota à imprensa, March 11, 1977, AAS mre be 1974.03.15. The original document is in Portuguese, and the translation into English is mine.

which these countries should take".¹⁵⁰

Such a tough reaction was quite unexpected in Washington, but after the tensions emerged because of the nuclear issue, the mood in the Brazilian military was already nervous and the human rights report was greeted with enmity. The U.S. had to think carefully on how to deal with the Brazilians in the coming weeks, since U.S. policy toward Brazil needed to consider the country's size, importance, and growth potential.

Immediately, the Department of State and the Pentagon started to analyze what implications the withdrawal from the 1952 military agreement could have and what developments might have the military cooperation between the two countries could ensue.¹⁵¹ But also the Secretary of State Cyrus Vance considered it also appropriate to write a letter to the Brazilian *chanceler* Silveira to express his worry about the recent episodes. Vance wrote he had "watched with concern the direction in which [the U.S.-Brazil] relations ha[d] been moving in the past month"¹⁵² and

¹⁵⁰ Weekly Report, Weekly National Security Report #4, March 11, 1977, "Weekly Reports (to the President), Box 41, Zbigniew Brzezinski Collection, Jimmy Carter Library.

¹⁵¹ Telegrama, *Acordo Militar Brasil - Estados Unidos. Reunião para esclarecimentos Sugestão do Departamento de Estado*, April 11, 1977, Secreto Exclusivo Urgente, AAS mre be 1974.03.15.

¹⁵² Minuta de Telegrama, *Correspondência entre o Ministro de Estado e o Secretário de Estado Cyrus Vance*, March 14, 1977, Secreto Exclusivo Urgentissimo, AAS mre be 1974.03.15.

stressed the mutually important interests of the two countries and the “need to pay attention to detail and understand each other’s style”. Vance moreover emphasized how important was for the U.S. administration to maintain friendly relations with Brazil. These conciliatory tones show that “the Americans were concerned with the downward spiral and made overtures to increase bilateral dialogue”.¹⁵³

Bitterness and resentment could not be the leading forces of the bilateral relationship. In PRM 17, Brazil had already been pointed out, together with Cuba, Mexico and Central America, as one of the “special countries” the U.S. had to deal with. In the NSC document it was asked:

“What are U.S. interests, and in the light of those interests what should U.S. objectives be? What options and strategies are available to the U.S. to attain those objectives?”.¹⁵⁴

Since the very first days, it was clear that the new administration had to study attentively the new attitude to have toward some Latin American countries with which sensitive issues were at stake. No doubt that Brazil, with the two delicate topics of nuclear proliferation and human rights, represented a special country to the U.S. foreign policy in the hemisphere. “Brazil’s major power potential

¹⁵³ Spektor, Matias *cit.*, p.253.

¹⁵⁴ PRM 17, p.3.

pose[d] unique challenges for U.S. policy formulation”¹⁵⁵ and moreover the Carter administration perceived an increasing mistrust in the Brazilian government about the U.S. willingness to support its aspirations. The core point was to decide how close the bilateral ties had to be. The U.S. wished to: protect its trade and investment interests; maintain access to Brazil’s strategic minerals; preserve Brazil as a constructive participant in inter-American affairs and as a contributor to hemispheric security; and, finally, encourage Brazil to keep its role in the North-South dialogue. It was strategically important to keep bilateral channels open, in order to enhance the U.S. possibilities for influencing Brazil on its upward course. The most widespread belief was that “the closer the consultative relationship, the more it [could] be expected to attenuate bilateral problems and encourage Brazilian cooperation on many international issues”.¹⁵⁶

This is the reason why the First Lady Rosalynn Carter could not omit to go to Brazil in her trip to Latin America planned for June 1977, in order to reaffirm her husband’s commitment to the international respect of human rights but to try to keep open at the same time a dialogue with the Latin American most powerful nation.

¹⁵⁵ Briefing Memorandum from Todman/Lake to the Secretary *PRC Review of PRM/NSC 17 United States Policy Toward Latin America*, March 12, 1977, Secret, NARA.

¹⁵⁶ *Idem*.

4. THE U.S. DIPLOMATIC VISITS AND THEIR SIGNIFICANCE.

4.1 June 1977: Rosalynn Carter's trip to Brasilia and Recife.

After the unfortunate (and very quick) visit of Warren Christopher at the beginning of March 1977, the trip Rosalynn Carter made to Brazil in June 1977 was the first important diplomatic mission of representatives of the new administration to Brazil. It is worth to note that in less than one year two other important official trips were made to Brazil: the one of Secretary of State Cyrus Vance in November 1977 and the one of President Carter himself in March 1978. They were proof of the serious effort the Carter administration put in repairing the breach occurred in the relationship after the publication of the human rights report.

On May 3, 1977 President Carter announced that the following month his wife Rosalynn would make a trip to seven Latin American countries; he took advantage of a meeting held in Washington with the ambassadors of the Latin American countries producing and exporting sugar.¹⁵⁷ Rosalynn Carter would go to Jamaica, Costa Rica,

¹⁵⁷ Informação para o Senhor Predisente da República *Relações Brasil-Estados Unidos. Visita ao Brasil da Senhora Carter*, May 10, 1977, Secret, AAS mre d 1974.03.26.

Ecuador, Peru, Brazil, Colombia and Venezuela. Jimmy Carter writes in his White House diary:

“My hope and expectation are that her conversations will both convince the people of these countries of our interest and friendship and also provide the leaders with an avenue directly to me for their problems, opportunities, and requests from our own government”.¹⁵⁸

Rosalynn Carter visited Brazil on June 6-8, 1977 and four were the main points that she was planning to discuss:

“During her visit, Mrs. Carter would hope: A. To review with leading Brazilian officials the basic thrust and purposes of the Carter Administration’s global foreign policy in relation to patterns of international change [...]; B. To elicit the views of Brazilian leaders on how cooperation between the two countries can be strengthened and to review informally the overall framework of relations; C. To exchange ideas on major issues in bilateral relations, as well as on multilateral cooperation on human rights and arms restraints; D. To elaborate some of the new directions contained in the President’s OAS speech of April 14¹⁵⁹, discussing ways in

¹⁵⁸ Carter, Jimmy *White House Diary*, Farrar, Straus and Giroux, New York, 2010, p.59.

¹⁵⁹ Besides underlying the importance of inter-American cooperation in political and economic fields and praising the role of the OAS in this sense, Carter positively evaluated the services performed by the inter-American Commission on Human Rights and stated the U.S. commitment to sign the American Convention on human rights negotiated in Costa Rica.

which the U.S. and Brazil can cooperate most effectively in advancing them".¹⁶⁰

Rosalynn Carter studied a lot and for several weeks before her trip to Latin America. Also the day before her departure, Jimmy Carter took note in his diary that "he spent several hours answering questions that she had listed from her twenty-five or thirty hours of briefings by the National Security Council and the State Department".¹⁶¹ The administration was very well aware that the fact of sending the wife of the President could be interpreted as provocative, as if the U.S. didn't take seriously the hosting countries. Rosalynn Carter studied in depth the political situation of the countries she was going to visit and knew well the topics she had to deal with.

Rosalynn Carter was accompanied by Terence Todman and Robert Pastor, the former served at the time as Assistant Secretary of State for Inter-American Affairs and the latter was the National Security Advisor on Latin America and the Caribbean. At her arrival in Brasilia on June 6, 1977, Mrs. Carter was coldly greeted with a one-sentence welcome by Foreign Minister Silveira but nevertheless the tones throughout the meeting held soon after were frank and cordial.

¹⁶⁰ Objectives of Mrs. Carter's visit to Brazil and areas of discussion, no date, unclassified, AAS mre be 1977.06.01.

¹⁶¹ Interview with Robert Pastor, April 11, 2011. See also Carter, Jimmy *White House Diary*, cit., p.59.

Rosalynn Carter and Silveira met at the Itamaraty building in the afternoon of that same day. All the points considered sensitive to the bilateral relationship were examined: the Brazilian nuclear ambitions, the diplomatic relations between Brazil and its neighbor countries, the Brazilian view on the South African apartheid and the presence of Cuban troops in Angola, and of course conversations focused especially on the possible future development of U.S.-Brazil dialogue and on the way the human rights issue could affect it.¹⁶²

Remembering the words of the First Lady, Silveira wrote in a personal note:

“The current President [Carter] would consider important to further expand these relations and give attention to all the people, their ideas, their problems. Latin America, and Brazil in particular, would be very important in this context. Mrs. Carter stated that Brazil is a leading country in the developing world, and that the current administration shares this view and for this reason her trip is so important. She affirmed that the U.S. government would like to work with us, to know our opinion and point of view on how international relations can develop”.¹⁶³

¹⁶² Lembrete n.145 *Registro da Conversa entre a Senhora Rosalynn Carter e o Ministro Antonio F. Azeredo da Silveira*, Secret, June 7, 1977, AAS mre d 1974.04.23.

¹⁶³ Antonio Azeredo da Silveira, *Notas Sobre a Conversa Entre a Senhora Rosalynn Carter e o Senhor Ministro de Estado das Relações Exteriores no dia 6 de Junho de 1977, no Palacio Itamaraty, Secreto*, AAS mre be 1977.06.01.

Mrs. Carter recognized the growing importance of the role of the developing countries in the international scenario and affirmed the intention of president Carter to give support to a widening North-South dialogue, considering also the simultaneous relaxation of the tensions between East and West. Equally important point brought up immediately after was the necessity to recognize and respect internationally human rights. "While Mrs. Carter was careful not to criticize her hosts, neither did she retreat from previous U.S. rhetoric in favor of human rights"¹⁶⁴ and this was a hard task considered the difficulties the bilateral relations were experiencing. But Rosalynn Carter actually managed to have frank and calm conversations both with Silveira and Geisel, not losing the opportunity at the same time of meeting Brazilian human rights activists and dissidents.

During his meeting with the First Lady, Silveira affirmed that also Brazil considered essential the respect of human rights and that, therefore, his country wanted to participate actively in the international discussion about guidelines and recommendations on the topic. And in fact he said:

"Brazil's opinion on [human rights] has been well understood by most of the international community, as proved by the fact that Brazil has been elected, as the fourth most voted country, by the members of the

¹⁶⁴ Power, Timothy *cit.*, p. 22.

Economic and Social Council of the United Nations to integrate the Human Rights Commission of the UN. In that vote, I want to remark, the United States obtained just one vote more than Brazil".¹⁶⁵

The following morning, June 7, 1977 Mrs. Carter met for a bit more than one hour the Brazilian President Ernesto Geisel.¹⁶⁶ The conversation first tackled the non-proliferation issue. Mrs. Carter noted that her husband wished to achieve disarmament and to stop nuclear proliferation and that, in the first four months in office, the new administration had already started to work in this sense. She moreover stated that in the hemisphere President Carter considered fundamental the protection of human rights and acknowledged the importance of the respect of the sovereignty of each country. Jimmy Carter was sending through her wife a message of friendship and collaboration: he wished to develop an intense dialogue, both in bilateral and multilateral contexts, with those countries that were proving to have a growing importance in the international scenario, such as Indonesia, Iran, Venezuela and Brazil. It was very important for the U.S. to have frequent and frank consultations with these countries.

President Geisel deeply appreciated the friendly message expressed by Mrs. Carter's words and started

¹⁶⁵ Antonio Azeredo da Silveira, *Notas Sobre a Conversa Entre a Senhora Rosalynn Carter e o Senhor Ministro de Estado das Relações Exteriores no dia 6 de Junho de 1977, no Palacio Itamaraty, Secreto*, AAS mre be 1977.06.01.

¹⁶⁶ *Memorandum Audiência Concedida Por Sua Excelência o Presidente Ernesto Geisel à Senhora Carter*, AAS mre be 1977.06.01.

replying about the human rights issue. Geisel stated that his country shared completely the relevance of the respect of human rights but emphasized that, to assure a high life standard to its citizens, a country must achieve a high economic development. It was not the case of Brazil yet. Brazil was still a developing country that in the last years had put serious efforts in the fields of housing, food, education, and health. "It was not possible, therefore, to ignore the necessity of fighting intrinsic difficulties faced by every underdeveloped country".¹⁶⁷ The conversation ended with the plea of Mrs. Carter for the Brazilian signature and ratification of the American Convention on Human Rights.¹⁶⁸ When Rosalynn called her husband that night, she expressed her concern "about her conversations with the foreign minister of Brazil, Silveira. She felt they wanted to be friendly but were trying to prove that Brazil is equal with us and will not be dominated". Furthermore, Rosalynn Carter reported that the Brazilians seemed to be upset about the U.S. SALT negotiations with the Soviets and that they strongly opposed the Convention on Human Rights.¹⁶⁹

The bilateral conversations continued that night during a dinner offered by President Geisel at the official

¹⁶⁷ Memorandum *Audiência Concedida Por Sua Excelência o Presidente Ernesto Geisel à Senhora Carter*, AAS mre be 1977.06.01.

¹⁶⁸ The American Convention on Human Rights, or Pact of San Jose, was signed in Costa Rica in 1969. The treaty was signed by the United States on June 1, 1977 but never ratified. Brazil will access and ratify the Convention many years later, only in 1992.

¹⁶⁹ Carter, Jimmy *White House Diary*, cit., p.61.

residence of the President of Brazil (Palácio da Alvorada). The talk focused mainly on the nuclear issue, that was left out during the morning because of the short time available. Mrs. Carter declared that her husband was not contrary at all to the use of nuclear energy as energy source and that he totally understood the Brazilian stance.¹⁷⁰ Mrs. Carter moreover expressed the U.S. preoccupation for the Brazilian decision not to sign the NPT. Giving elusive answers about this, President Geisel just affirmed that Brazil did not intend anymore to depend on other countries for the supply of raw materials. He acknowledged he had a more realistic approach to the international relations than Jimmy Carter and stated that disarmament, even if an enticing and ambitious target, required such a deep change of mentality that could be achieved only in a long term.¹⁷¹

The intense consultations Mrs. Carter had with the representatives of the Brazilian government didn't have any concrete effect but they certainly did have some diplomatic consequences. First, they were the proof that, despite the confrontational attitude assumed by the Brazilians after the publication of the human rights report, both sides wanted to preserve a dialogue. On the one hand, Silveira and Geisel wanted to prove that their

¹⁷⁰ Notas Resumidas *Discussão Informal entre o Presidente Geisel e a Senhora James Carter, Durante o Jantar no Palácio da Alvorada*, June 10, 1977, AAS mre be 1977.06.01.

¹⁷¹ Notas Resumidas *Discussão Informal entre o Presidente Geisel e a Senhora James Carter, Durante o Jantar no Palácio da Alvorada*, June 10, 1977, AAS mre be 1977.06.01.

country was respected and supported by the international community and that, probably, the U.S. was too severe in criticizing its human rights practices. On the other hand, despite the major frictions emerged in the last months, Washington would make all the necessary efforts to avoid diplomatic estrangement with Brazil, that was a key-country strategically important to the U.S., but at the same time would continue to push on both the human rights and nuclear fronts. This determination was confirmed by the fact that, despite the harsh critiques moved to Kissinger's attitudes toward Brazil and the signature of the 1976 Memorandum of Understanding, the document was considered still in force. About this, in a letter wrote on June 22, 1977 from Vance to Silveira it was possible to read:

"I am happy to confirm in this letter that the United States considers that the Memorandum of Understanding of February 21, 1976 between our two governments remains in effect. Consistent with our discussion, my staff will begin to plan a visit to Brazil for a formal consultative session with you in the last two weeks of October".¹⁷²

Rosalynn Carter left Brazil on June 8, 1977 but, before going back to Washington D.C., she decided to travel to Recife to meet personal friends and "in a dramatic move

¹⁷² Silveira to Brasemb in Washington, *Carta do Secretário Cyrus Vance para o Ministro de Estado*, Urgente, Secreto, June 22, 1977, AAS mre be 1977.01.27.

[...] agreed to meet with Lawrence Rosebaugh and Thomas Capuano"¹⁷³, both U.S. citizens who resided and worked in Brazil as missionaries of the Catholic and Mennonite Churches respectively. In May the two men had been arrested and detained by the Recife police for three days without being charged of any crime. The U.S. Embassy had written to the Brazilian Foreign Minister on June 1, 1977 to have some clarifications about the events.

"The Embassy of the United States can only note with deep concern the poor treatment accorded to Messrs. Rosebaugh and Capuano by local authorities at the moment of their arrest and during their subsequent detention. [...] The detention of the two men [...] was arbitrary in that no charges were placed against them and they had no opportunity to secure consular, legal or other advice or assistance, or to bring the matter of their detention before the judiciary. [...] The Government of the United States notes [...] the violations of the human rights of the American detainees through the inhuman and degrading treatment they suffered while in the hands of the local authorities".¹⁷⁴

When Mrs. Carter made her trip to Brazil, therefore, the episode had recently happened and she decided to meet the two missionaries with a twofold purpose: first, she intended to give them all the support of the U.S. government and, second, she meant to symbolize the

¹⁷³ Power, Timothy *cit.*, p.21.

¹⁷⁴ Info n.164 AAS mre be 1974.03.15.

serious U.S. commitment to human rights. The U.S. did not tolerate human rights abuses, especially in the case they interested American citizens abroad. According to Robert Pastor, Rosalynn Carter “succeeded in walking a very fine line between offending the government and encouraging the opposition” and had managed to keep human rights on the bilateral agenda, “but in a far more positive way than in the days of March”.¹⁷⁵

A few days after Mrs. Carter’s return to Washington, Ernesto Geisel wrote a letter to Jimmy Carter giving his impressions and comments about the recent visit. Frankness and availability to talk about any issue considered important by Mrs. Carter were the principal Brazilian attitudes, Geisel stated. The Brazilian President recalled the main points of the conversations held about human rights, nuclear proliferation and disarmament. Furthermore, he wanted to state once more that, according to his opinion, the United States and Brazil had common objectives in both the human rights and nuclear issues, but there were radically different points of view about the way to achieve them.¹⁷⁶

President Carter was “greatly pleased with the success of [Rosalynn’s] visit to Brazil”¹⁷⁷ and, he continued, “from our side we believe that this direct exchange was invaluable in giving us a better perception of the Brazilian view of world problems, and of Brazil’s

¹⁷⁵ Power, Timothy *cit.*, p.22.

¹⁷⁶ Letter from Geisel to Carter, June 24, 1977, AAS mre be 1976.00.00.

¹⁷⁷ Letter from Carter to Geisel, June 24, 1977, AAS mre be 1976.00.00.

national goals and aspirations. We hope that it also contributed to increased Brazilian understanding of some of the major directions and objectives of United States policies".¹⁷⁸ Jimmy Carter saw his wife's visit to Brazil as an important element for the two countries' ongoing dialogue and was confident of the importance of continuing a personal correspondence with Geisel on matters which required their attention.

4.2 The aftermath of Rosalynn Carter's trip.

The press gave wide coverage to the visit of the First Lady to Brazil. The two pivots of Carter's foreign policy caused both serious frictions and misunderstandings with the Brazilian government: it was probably for this reason that the press decided to make aware the public opinion on the diplomatic actions implemented by Rosalynn Carter. The Brazilian stop was considered the biggest challenge in her Latin American trip, and certainly Mrs. Carter's diplomatic skills would have been tested if she

¹⁷⁸ Idem.

was to repair the “needlessly strained relations between the two countries”.¹⁷⁹ “While the dispute over the nuclear reprocessing plant was the major cause of the chilling of relations between the two large Western Hemisphere nations, human rights ha[d] been another thorny issue”, the Washington Post stated.¹⁸⁰ Rosalynn Carter had indeed a very delicate task: she had to deal with a deeply resentful Brazilian leadership, that did not expect at all to discuss such sensitive topics (as nuclear non-proliferation and human rights) with a woman, even though this woman was the wife of the U.S. president. Indeed, she received a low-key reception “in contrast with the elaborate welcomes she ha[d] received in other countries that she ha[d] visited in her two-week, seven nation tour of Latin America”.¹⁸¹ Foreign minister Silveira greeted Rosalynn Carter just with one sentence expressing “the pleasure and satisfaction the Government ha[d] in receiving Mrs. Carter”.¹⁸² On the contrary, Mrs. Carter’s arrival statement greeted warmly the Brazilian people and stated that she was looking for meeting the Brazilian leaders and discussing with them issues that concerned

¹⁷⁹ Blatchford, Joseph H. *U.S.-Brazilian Relations: Can the Strains Be Eased?*, “The Washington Post”, June 8, 1977.

¹⁸⁰ McBee, Susanna *Mrs. Carter Cites Hope to Improve Ties with Brazil*, “The Washington Post”, June 7, 1977.

¹⁸¹ Idem.

¹⁸² Foreman, Laura *Mrs. Carter Is Given a Low-Key Welcome in Brazil*, “New York Times”, June 7, 1977.

both countries, the region and the world.¹⁸³ In this, she had to make any possible effort to initiate a U.S.-Brazil rapprochement and, at the same time, she had to stress the U.S. deep commitment to human rights. The First Lady needed to find the way to balance public and quiet diplomacy. And she actually managed to do this. As we know from the Brazilian records, during her private conversations with the Brazilian leaders Rosalynn made clear to them Jimmy Carter's position on human rights, never avoiding the question. On the other hand, she significantly exposed herself to the criticism of the Brazilian government as well as of the public opinion when she decided to visit the two American missionaries in Recife. And the U.S. press emphasized the bad conditions the U.S. missionaries had to suffer during their unjustified imprisonment. Capuano told reporters he felt himself being turned into an animal; "you could hear cries, groans of people getting beaten. He said he and Rosebaugh were in a cell 10 feet wide and 25 feet long that contained 34 men, all naked. [...] There were wall to wall bodies. When it came time to lie down, there was no room to lie down".¹⁸⁴ This was the most effective way to raise the human rights issue in the country and to inform the public opinion, especially outside Brazil. Indeed, ambassador Crimmins wrote to inform Foggy Bottom

¹⁸³ *Mrs. Carter's Arrival Statement in Brazil* Records of the First Lady's Office – Mary Hoyt's Foreign Trips files (Press), BOX 25, Unclassified, Jimmy Carter Library (Hereinafter JCL).

¹⁸⁴ McBee, Susanna *Two Tell Mrs. Carter of Brazilian Jail* "The Washington Post", June 9, 1977.

that in those days a heavy press coverage was given precisely to the Brazilian reactions to Mrs. Carter's meeting with the missionaries in the U.S. consulate in Recife. Citing some popular Brazilian newspapers, Crimmins wrote:

"Front page teaser in June 10 Correio Brasiliense claimed that Mrs. Carter's act of posing for photographs at the U.S. consulate in Recife [...] 'offended Brazilian diplomatic sectors', particularly when it became known that President Carter had previously approved her meeting with them. Report in O Estado de São Paulo stated 60 million Americans had witnessed on their TV screens the two missionaries talking to Mrs. Carter and discussing their mistreatment at the hands of Brazilian police. This heavy impact on U.S. public opinion, article notes, was further reinforced by reports of Mrs. Carter's meeting with missionaries carried in the New York Times and The Washington Post".¹⁸⁵

Even though the Brazilian government was profoundly irritated by the prominence that the news received, it was highly unlikely that this incident would aggravate the dispute between Washington and Brasilia. And Crimmins continued:

¹⁸⁵ Telegram from AmEmbassy Brasilia to SecState Washington DC *Press Perceptions of Human Rights Aspects of Mrs. Carter's Visit* Records of the First Lady's Office – Mary Hoyt's Foreign Trips files (Press), BOX 25, June 10, 1977, Unclassified, JCL.

“According to Correio [Brasiliense] columnist, [...] incidents in Recife can be used as basis for new pressures against Brazil-FRG nuclear accord, providing the basis to argue that country that cannot control its police is not a fit recipient of sensitive nuclear technology”.¹⁸⁶

Once again the nuclear and human rights issues were intertwined and were put together on the table of the diplomatic relations between the two countries. According to a Brazilian interpretation, then, the U.S. government was putting pressure on the Brazilian leadership about the respect of internationally recognized human rights with the aim of discrediting *tout court* the international role of Brazil: was it a reasonable doubt? Sure it was, even though the Carter administration in many occasions stated that the human rights and the nuclear issues were not interdependent.

But besides the narrow focus on the U.S.-Brazil relations and the effects of Rosalynn Carter’s visit on them, it is really interesting to point out one more aspect: the United States and Brazil were dealing with the human rights issue in a very different way. The Brazilians considered it to be part of state sovereignty over its territory and its citizens, a subject strictly pertaining only to the State and on which any external interference was inappropriate and unacceptable. The Americans, instead, were highlighting the new international dimension of human rights policies

¹⁸⁶ Idem.

and practices, that were gradually modifying the concept of State sovereign authority. This transformation was significant and would be irreversible. As we know, today fundamental human rights are considered as inderogable by the will (and law) of states, and even more human rights are considered the most blatant example of peremptory norm (or *jus cogens*).¹⁸⁷ A peremptory norm is “a fundamental principle of international law that is accepted by the international community of states as a norm from which no derogation is permitted”; therefore peremptory norms cannot be violated by any state, cannot be modified by any treaty, and are absolutely non derogable. Article 53 of the 1969 Vienna Convention on the Law of Treaties sanctions the *jus cogens* as being part of general international law, even though not specifying what rights could be considered of *jus cogens*. “As regards human rights, it has been contended that their coming into being as general rules of international law would not occur through the medium of customary law-making and its reliance on state practice but rather by general principles”¹⁸⁸: the general acceptance and recognition of these rights would not be based on state practice, but rather on the moral consensualist conception that human rights are fundamental and binding by their own nature. The 1970s were the years in which international law scholarship and jurisprudence were starting to give a precise content to

¹⁸⁷ Bianchi, Andrea *Human Rights and the Magic of Jus Cogens*, The European Journal Of International Law, vol.19 n.3, 2008, pp.491-508.

¹⁸⁸ Bianchi, Andrea *cit.*, p.493.

the concept of *jus cogens* and grassroots movements as well as international organizations were playing a decisive role in remarking that basic human rights were above the logic of state-centered sovereignty. Using Kathryn Sikkink's words: "the human rights issue is an important case study of how understandings of sovereignty currently are being reshaped in the world and of the important role of transnational actors in that process. The doctrine of internationally protected human rights offers one of the most powerful critiques of sovereignty as currently constituted, and the practices of human rights law and human rights foreign policies provide concrete examples of shifting understandings of the scope of sovereignty. [...] The human rights issue does not presage an alternative to sovereignty, but it suggests a future model in which understandings of sovereignty are modified in relation of specific issues that are deemed of sufficient importance to the international community to limit the scope of sovereign authority".¹⁸⁹

The Carter administration's commitment to human rights contained the acknowledgment of the new international dimension of these rights. Rosalynn Carter was able to demonstrate in a sober but very resolute way how deep was the U.S. concern on the respect of human rights and how important was to mobilize the whole international community on the issue.

¹⁸⁹ Sikkink, Kathryn *Human Rights, Principle-issued Networks, and Sovereignty in Latin America*, International Organization, Volume 43 Issue 3, June 1993, pp. 411-441.

4.3 The Memorandum of Understanding in force: Cyrus Vance's trip to Brasília.

In the first months of 1977 also a pretty intense exchange of letters between Cyrus Vance and Antonio Azeredo da Silveira started. The two foreign Ministers, as well as the Presidents, used this tool to discuss topics of primary importance to their respective governments.

The Vance-Silveira correspondence began a few days after the Secretary of State took office. Vance acknowledged all the deep differences between the U.S. and Brazil and was committed to review each and every issue through frank consultations with his Brazilian counterpart.¹⁹⁰ Both sides were required to make an effort to familiarize with the respective views and to have a better comprehension of them. Silveira agreed on the necessity to maintain friendly relations between the two countries and considered essential a close working relationship and a constant mutual dialogue. The exchange of letters between the two Ministers intensified, however, in March 1977 after Brazil decided to reject U.S. economic assistance and to denounce the 1952 Military Agreement. Vance expressed his concern about the direction of the relations between the two countries and stated that it would be necessary to meet personally and to talk about the two issues that were

¹⁹⁰ *Texto da mensagem verbal do Secretário de Estado Cyrus Vance ao Ministro Azeredo da Silveira, transmitida pelo Embaixador John Crimmins às 16:30 do dia 27 de Janeiro 1977, January 27, 1977, Secreto, AAS mre be 1977.01.27.*

causing frictions and misunderstandings.¹⁹¹ Vance and Silveira finally met personally in Paris at the end of May 1977 at the Conference on International Economic Development and, in that occasion, they had a 45 minute private meeting. At the end of this meeting, Silveira sent a telegram to President Geisel and it is today the only document available to know the content of the dialogue between the two ministers.¹⁹² According to the telegram, the tone of the conversation was cordial and friendly and one of the first points raised by Vance was about the 1976 Memorandum of Understanding. He had been informed of the doubts, often raised by the Brazilian press, of the validity of the Memorandum. Vance wanted immediately clarify that the U.S. government considered the agreement as effective and, indeed, he intended to schedule in the short term a new meeting of the trade sub-group.¹⁹³ Vance's words pleased Silveira, who in turn stated that the Brazilian government considered the Memorandum a useful tool of reciprocal consultation and information. The

¹⁹¹ *Vance to Silveira*, March 14, 1977, AAS mre be 1977.01.27.

¹⁹² Telegram *Encontro entre o Ministro de Estado das Relações Exteriores e o Secretário de Estado Cyrus Vance*, Secreto, May 31, 1977, AAS mre be 1977.01.27.

¹⁹³ This was the first occasion in which Vance and Silveira could talk about the Memorandum of Understanding. As already stated above, Vance wrote also a letter in July 1977 where he officially confirmed the validity of the bilateral agreement. It is worth also recalling here that the Memorandum of Understanding had created three consultative groups: 1) the first was on economic issues (with two sub-groups, one on trade and one on finance); 2) the second focused on scientific and economic cooperation; 3) the third dealt with energy technology. See AAS mre be 1977.06.01.

two ministers exchanged opinions on several issues: about the conference that had just ended, the Brazilian role as regional and international power and, also, the German-Brazilian nuclear agreement. They discussed also the forthcoming OAS General Assembly Meeting, that would take place in Grenada in mid-June, during which human rights would be one of the themes certainly tackled. On this point Silveira was very clear: the Brazilian government accepted to discuss the issue in international fora but could not tolerate any interference in its own internal affairs. Silveira pointed out that Brazil was perfectly aware of the intent of the U.S. policy in this field: emphasizing some important democratic principles was a shield against the growing influence and infiltration of the Soviet Union.¹⁹⁴ The Brazilian government totally understood this strategy, though did not agree with it. Silveira, moreover, suggested that the United States would be better to moderate its tones on the human rights issue, also with some small countries of the OAS, such as Paraguay or Uruguay, whose major interest was to understand and support U.S. policies.

The Brazilians gave clearly the impression of being regional leaders, able to understand and express the sentiments and the political aspirations of their neighbors. The cordiality and the frankness with which every topic was discussed proved that it was important to keep a constant dialogue. And the Memorandum of

¹⁹⁴ Telegram *Encontro entre o Ministro de Estado das Relações Exteriores e o Secretário de Estado Cyrus Vance*, Secreto, May 31, 1977, AAS mre be 1977.01.27.

Understanding was the best tool to do that. According to Spektor, it was only natural “that the two sides should have chosen to further revitalize the Memorandum. Slowly but surely they found the instrument to be a refuge against overt conflict and a cover under which they could pursue their respective agendas”.¹⁹⁵

Vance and Silveira had the opportunity to meet again after two weeks in St. George’s, Grenada, for the VII OAS General Assembly held on June 14-16, 1977. The two ministers had lunch together on June 15¹⁹⁶ and it was the occasion to exchange views on the meeting in progress and, more specifically, on the evolution of human rights in the hemisphere. The U.S. government was planning to increase its contribution for the Inter-American Commission on Human Rights (IACHR) in order to enhance its activity. But, according to Silveira, the U.S. attitude was marginal (*minoritaria*) since all the other OAS members seemed to consider that any alteration of the human rights issue in the inter-American context would require further study and careful consideration.¹⁹⁷ Moreover, Silveira considered very difficult for the Organization to survive after a unilateral action of its biggest and most powerful member state.

Despite the perceptions on the role of the IACHR remained divergent, the discussion helped a bit more to increase the understanding on both sides. Back to

¹⁹⁵ Spektor, Matias *cit.*, p.258.

¹⁹⁶ Telegram *Relações Brasil-Estados Unidos. Almoço com o Secretário de Estado Cyrus Vance*, Serie Chanceler n.37, Secreto Urgente, June 15, 1977, AAS mre be 1977.01.27.

¹⁹⁷ Idem.

Washington, Vance wrote to Silveira to express appreciation on the useful exchange of views.¹⁹⁸ Therefore, consistent with the provisions of the Memorandum of Understanding, Vance and his staff were planning a visit to Brazil for a formal consultative session in the last two weeks of October. In his answer, Silveira spoke of the importance of maintaining open channels of communication to “clear misunderstandings” and “enhance cooperation”.¹⁹⁹ Once more Silveira pointed out clearly what was the Brazilian government’s position on the role of the IACHR: Brazil, he claimed, as the United States, had as main objectives the support and the promotion of human rights. A divergence could be found in the priorities and the methods of reaching those objectives. According to its level of social, economic and political development, each State had specific priorities, which had to be respected because conditioned upon its peculiar characteristics. As for the methods, Silveira added, the main objective had to be “to achieve efficiently those conditions in which every individual could fulfill and enjoy his rights” through forms of “positive and voluntary cooperation”. “Forced investigative actions were opposed”, because the Brazilians thought it was not “possible to acknowledge the right of any State to try another”.²⁰⁰

Hence, the Brazilian government recognized the

¹⁹⁸ Letter from Vance to Silveira, June 21, 1977, AAS mre be 1977.01.27.

¹⁹⁹ *Silveira to Vance*, June 22, 1977, Records of Deputy Secretary Warren Christopher, NARA.

²⁰⁰ *Idem*.

importance of the international protection of human rights, but it evaluated even more important and unassailable the autonomy of action of a State within its borders and the non-interference of other States (or international bodies) in its internal affairs. In the case of the Inter-American Human Rights Commission, the Brazilian government would never allow an inspection and an assessment of the human rights situation in Brazil. A few months after the human rights report published by the U.S. State Department, Brasilia reaffirmed the same principle with the same determination.

Referring precisely to a form of 'positive and voluntary cooperation' Vance wrote again to *chanceler* Silveira in mid-July to ask Brazil's support and cooperation. Vance hoped Silveira could convince Paraguay to accept a visit by an inspection group of the IACHR and wrote in a very explicit way:

"We are concerned over recent indications of a delay in the earlier Paraguayan decision. Noting the particularly close and frank relationship between Brazil and Paraguay, I believe that Brazil is in an excellent position to encourage Paraguayan cooperation with the Commission. This would be a positive follow-up to our conversations in Grenada, in which you indicated support for the present form and function of the Commission".²⁰¹

²⁰¹ Telegram from SecState Washington DC to AmEmbassy Brasilia *Message from the Secretary for Foreign Minister Silveira*, July 19, 1977, Confidential, Records of Deputy Secretary Warren Christopher, NARA.

Undoubtedly Vance was making a request the Brazilians would hardly fulfill. One of the cardinal points of Brazil's foreign policy was non-interference in the internal affairs of other States and therefore Silveira stated:

"Brazil, which enjoys the experience of living together with ten neighboring, friendly countries, has in the unrestricted respect for the internal and external affairs of each one of them the touchstone of its good relations on the continent. [...] Thus I feel I am not in a position to comply with your request and, furthermore, this is in keeping with the stance I have publicly expressed on the matter [...] in Grenada".²⁰²

This proved that the tones of cordiality did not entail the restore either of the ancient unwritten alliance or the unconditional Brazilian support to any U.S. foreign policy initiatives.

In the meantime, Foggy Bottom was not only working on re-establishing a constant diplomatic dialogue with Brasilia but was also discussing about U.S. strategy with regard to linking multilateral loans to human rights in Argentina, Brazil, South Korea, Romania, Benin and Ethiopia.²⁰³ The assessment of human rights was becoming a determining factor also for the U.S. loans within

²⁰² *Silveira to Vance* (unofficial translation), July 26, 1977, Unclassified, Records of Deputy Secretary Warren Christopher, NARA.

²⁰³ Briefing Memorandum *Core group meeting on multilateral loans and human rights*, May 18, 1977, Confidential, Records of Deputy Secretary Warren Christopher, NARA.

International Financial Institutions (IFIs). A May 1977 memorandum, drafted by the Christopher group, stated that:

"Violations of human rights continue in Brazil. Despite significant moves taken by President Geisel to curb abuses against political prisoners, other serious long-term problems remain [...]. President Geisel's recent move to further limit the powers of the Congress and hamstringing the opposition party in future elections were a significant reversal of his previous cautious efforts toward liberalizing Brazil's political system. [...] it is possible that direct and public pressure on Brazil to improve human rights performance could actually weaken President Geisel's hand against the repressive elements within the Brazilian security forces. Such efforts could effect a range of other U.S. interests: - reaching agreement with Brazil on nuclear proliferation issues; - protecting our significant trade and investment; - encouraging a continued Brazilian moderating role in multilateral affairs. [...] In sum, linking human rights to IFI loans for Brazil at this time may lead to a confrontation before we have fully considered the alternatives and consequences".²⁰⁴

What strategy to adopt then with regard to linking multilateral loans to human rights violations in recipient countries? In the case of Brazil, the United States preferred adopt the strategy of waiting and seeing how things would

²⁰⁴ Action Memorandum *Forthcoming Multilateral Loans and Human Rights*, May 16, 1977, Confidential, Records of Deputy Secretary Warren Christopher, NARA.

change. "The immediate situation in Brazil [was] not as bad as that in Argentina"²⁰⁵ and, considered that in the first months of 1977 relations between Washington and Brasilia were very strained, any negative action taken in that moment could affect both the non-proliferation and the human rights issues. At the beginning of 1977 it was decided that it was not a good time to make the linkage 'human rights-IFI loans' and it was agreed, however, that the U.S. would consider at an appropriate future time informing the Brazilians on the human rights policy as it related to international financial institutions. Using the IFIs in this way might tend to politicize them, and this choice could be detrimental to the U.S. interests in the long term; furthermore, IFI loans "could not be an effective pressure point except in certain specific instances when the U.S. government wished to dramatize a point or obtain satisfaction on a particular and clearly definable human rights issue".²⁰⁶ Actually, with the Brazilians in that moment there was not a specific problem at stake or any point to dramatize and the U.S. was rather observing a gradual improvement in the respect of human rights. For the moment it was advisable to hold the issue in reserve and do not raise IFI loans, also in view of the several trips planned in the coming months. There were many official visits in Brazil scheduled for 1977: besides Mrs. Carter's

²⁰⁵ Briefing Memorandum *Core group meeting on multilateral loans and human rights*, May 18, 1977, Confidential, Records of Deputy Secretary Warren Christopher, NARA.

²⁰⁶ Memorandum *Nimetz to Christopher*, May 19, 1977, Records of Deputy Secretary Warren Christopher, Unclassified, NARA.

voyage to Brasilia and Recife in June, the administration had in mind to organize a bilateral meeting between Vance and Silveira in October 1977 and to plan a stop in Brazil for the presidential tour in Latin America and Africa planned for November 1977. The presidential trip would be postponed to the beginning of 1978, while the Vance-Silveira summit would be deferred to November 1977.

Ahead of the Vance-Silveira consultations, two-day planning talks were held on October 6-7, 1977 in Brasilia. It was the occasion for Warren Christopher to go back to Brazil after the unsuccessful meeting in March 1977 about the non-proliferation issue.

During the meeting the atmosphere was quite cordial, even if the Brazilian attacked the U.S. nuclear non-proliferation and 'discriminatory' trade policies, while minimized other major bilateral issues, such as human rights. The Brazilians were annoyed by the ambiguity as to their status, demanding on the one hand the special concessions granted to least developed countries (LDCs), and on the other asked to be accorded the attention worthy of an incipient global power. According to a U.S. briefing memorandum on the planning talks:

"Brazilian aspirations for '*grandeza*' center on rapid economic growth, which is linked to export expansion. The Brazilians repeated the charge that our trade policies discriminate against newly arriving countries, who are considered less important politically and for whom we feel less cultural affinity, than our Western European friends. [...] Certain tariff barriers inhibit entry of more

labor-intensive and/or more highly processed products. The higher-income LDCs argue that such a trading system frustrates their drive to enter the club of industrial states. [...] They sought to distinguish Brazil from the poorer LDCs – but when we asked how the upper-tier LDCs might be incorporated into the decision-making process on global issues, the Brazilians offered no suggestions”.²⁰⁷

The U.S. delegation was pleasantly surprised at the Brazilian stance on human rights. Indeed, the Brazilians avoided attacking the U.S. forcibly stated position on human rights, except to argue that the Inter-American Human Rights Commission should be normative, not judgmental. In the same memorandum there was the comment:

“This more relaxed view on human rights may reflect the whispers of liberalizing winds within Brazil, as well as their desire to disassociate themselves from the Southern Cone hardliners”.²⁰⁸

In late 1977, human rights seemed not to be such a harsh source of conflict: the approaches of the two countries on the topic continued to be different, but the Brazilian confrontational attitude had been moderated. But the Americans pointed out other difficulties that could emerge in the future: the gradual integration of Brazil into

²⁰⁷ Briefing Memorandum *Brazilian Planning Talks, October 6-7, 1977*, October 21, 1977, Confidential, Records of Anthony Lake, NARA.

²⁰⁸ Idem.

the world system and the need to convince Brazil to balance its narrowly conceived pragmatism with a concern for global welfare could provoke strains and disagreements. Furthermore, as the Brazilians would become more important and more competitive in the international scenario, the U.S. needed to be more aware of the Brazilian policies and maintain close communication channels.

This is the framework in which should be inserted the 24-hour Vance's visit to Brasilia on November 22-23, 1977. The U.S. Secretary of State travelled to Brazil to implement the high level bilateral consultations between State officials, as provided by the 1976 Memorandum of Understanding. On that day, Vance and the U.S. ambassador John Crimmins had a meeting with the Brazilian president Ernesto Geisel and the Brazilian foreign minister Antonio Azeredo da Silveira. Records of the talks are available in the Brazilian archives, where there are both memorandums of the conversations and evaluations on the status of the bilateral relations. The first meeting to take place was the one with President Geisel at the Palácio do Planalto in the afternoon of November 1977 and lasted a bit more than one hour. Vance was accompanied by the U.S. ambassador to Brazil Crimmins, and Geisel was assisted by *chanceler* Silveira.²⁰⁹ The main

²⁰⁹ Lembrete n.322 *Audiência Concedida pelo Presidente Ernesto Geisel ao Senhor Cyrus Vance, Secretário de Estado dos Estados Unidos da América*, November 22, 1977, Secreto-Exclusivo, AAS mre d 1974.03.26.

purpose of the high-level bilateral meeting was to discuss the Brazilian nuclear program, which represented certainly the most sensitive issue to deal with. Before getting to Brasilia, the American delegation, made up of six persons plus the Secretary of State²¹⁰, had made also a stop in Buenos Aires to talk about the Argentinean nuclear program. Vance considered the nuclear issue a regional problem to address on several fronts at the same time. As Spektor tell us, "Vance had managed to get the Argentines' agreement to consider the possibility of putting a moratorium or deferring commercial reprocessing in exchange for American provision of nuclear fuel. But as conversations with the Argentines progressed, Buenos Aires said that a precondition for their commitment was that there was what they called 'a regional equilibrium'. In other words, they would suspend their own enrichment program only if Brazil did the same".²¹¹

Vance decided not to tackle any other topic during the meeting with Geisel, and deferred the human rights issue to a 40 minute private conversation he would have later that afternoon with Minister Silveira.²¹² The Secretary of

²¹⁰ Together with Cyrus Vance were Assistant Secretary of State for Hemispheric Affairs Terence Todman, the Assistant Secretary of State for Economic and Business Affairs, Julius Katz, and the Assistant Secretary for Human Rights and Humanitarian Affairs, Patricia Derian, the Latin America National Security Council Specialist, Robert Pastor, and two State Department specialists on nuclear policy (Gerard Smith and Joseph Nye).

²¹¹ Spektor, Matias *cit.*, p.261.

²¹² Informação para o Senhor Presidente da República n.308 *Visita do Secretário de Estado Cyrus Vance. Conversações.*, December 20, 1977, Secreto-Exclusivo, AAS mre d 1974.03.26.

State asserted once again in this occasion how important the Carter administration considered the international respect of human rights. The U.S. policy didn't have any ideological connotation and was addressed without exception to any country with which the United States had diplomatic relations. Silveira responded stating again the usual Brazilian attitude: the Brazilian government could perfectly understand the motivation and the scope of the U.S. human rights policy, but did not agree on the way it was implemented. Each government had the duty of guaranteeing the full respect of human rights in its country and no external interference of any kind could be tolerated. Moreover, Silveira continued, the U.S. foreign policy inspired by the human rights issue seemed to be incoherent and inconsistent: the USSR and other countries strategically relevant to the U.S. interests were approached in a much more benevolent way than other countries with better records on the respect of human rights, but strategically less important. Hence, according to the Brazilian point of view, the decision of politicizing human rights and making them a foreign policy tool could not be supported. But this didn't mean not recognizing and supporting the intrinsic value human rights had. Silveira concluded with a very strong and direct affirmation: he could not tolerate any more to start a dialogue on the human rights issue with the assumption that the U.S. and Brazil had something to talk about, because it was not the case and he hoped the topic would never emerge again in the future.²¹³ Vance

²¹³ Idem.

apparently interrupted his speech and did not reply to this provocation. Such a tough assertiveness on the Brazilian side might seem unexpected, excessive, and risky but can find an explanation in a diplomatic gaffe made by Cyrus Vance a few hours before his private meeting with Silveira. Indeed, after meeting President Geisel, Vance unintentionally left a copy of his instructions and talking points for the summit with Silveira.²¹⁴ This had undoubtedly been a pedestrian mistake, because the Brazilians could see (and read, leaving no room for misinterpretation) what the U.S. line and strategy were. The talking points on human rights highlighted some aspects of particular concern for the U.S. administration. Vance was supposed to raise the topic of recent allegations of torture, happened both in Rio de Janeiro and Sao Paulo, which deeply “disturbed” the Americans.²¹⁵ Fifteen political prisoners had recently written a letter (widely reported in Brazil and abroad) in which they stated of being systematically tortured with very sophisticated devices by the Army policemen of the Department of Domestic Operations and Internal Defense Operations Center (DOI-CODI): this episode, together with other charges of tortures and deaths of prisoners, could cause tensions between the U.S. and Brazil at a time when it was of great interest to both sides to work in harmony. Vance intended to express

²¹⁴ Informação para o Senhor Presidente da República n.287 *Visita do Secretário de Estado Cyrus Vance. Roteiro norte-americano para as conversações*, November 30, 1977, Secreto-Exclusivo, AAS mre d 1974.03.26.

²¹⁵ *Private Conversation with Silveira (40 minutes)*, AAS mre be 1977.01.27.

the U.S. preoccupation about the possibility to find Brazil working actively to make ineffective the important work of non-governmental organizations, especially of Amnesty International. Instead, as the Brazilian records tell us, there was no occasion at all to discuss any of these points or to talk about episodes happened recently in Brazil. But, besides this, two were the reasons Silveira was very upset by the document Vance forgot at the Palácio do Planalto: first, there was neither any reference to the U.S. intention to improve the bilateral relations with Brazil nor the acknowledgment of Brazil as a valuable interlocutor; second, the document referred to the Memorandum of Understanding in a very perfunctory way.²¹⁶ In occasion of Vance's visit, also Patricia Derian, Assistant Secretary of State for Human Rights and Humanitarian Affairs, was present in the U.S. delegation but she did not have any conversation with Brazilian representatives because, as it is possible to read in a Brazilian document, there was no Brazilian group interested in talking about the human rights topic.²¹⁷ Nevertheless, as the historian Timothy Power remembers, she expressed her hope that the changes to come in Brazil's human rights situation would not result from conversation

²¹⁶ Informação para o Senhor Presidente da República n.287 *Visita do Secretário de Estado Cyrus Vance. Roteiro norte-americano para as conversações*, November 30, 1977, Secreto-Exclusivo, AAS mre d 1974.03.26.

²¹⁷ Memorandum *A Visita do Secrtário Vance e As Relações com os Estados Unidos (Direitos Humanos e Questão Nuclear)*, December 1977, Secreto, AAS mre be 1977.01.27.

with U.S. officials, but rather from the natural evolution of the Brazilian system.

The mainstream historiography has generally interpreted Vance's visit a "departure from earlier experiences, in that the United States was now giving Brazil more positive encouragement for improvements in the Brazilian human rights record".²¹⁸ Still, the newly available diplomatic documents from the Brazilian archives induce a different interpretation of the events. As we have seen, an original narrative emerges. Even though the bilateral high-level meetings were scheduled to give the Memorandum of Understanding a new lease of life, because both the U.S. and the Brazilian governments had an interest to keep it in force, the two countries interpreted the agreement in different ways: Washington wanted the memorandum to be the place where any sort of misunderstanding and disagreement could be managed and discussed; Brasilia, instead, wanted it to be the evidence that the United States recognized and accepted the international growing importance of Brazil, with which sensitive issues needed to be discussed.

But the significance of Vance's visit to Brasilia in November 1977 deserves an even more attentive analysis.

A few weeks before Cyrus Vance's trip to Latin America, the U.S. government assessed the Southern Cone political situation and analyzed the possible future policy

²¹⁸ Power, Timothy *cit.*, p.23.

toward the area, and Brazil in particular.²¹⁹ According to the U.S. evaluation, the military in the Southern Cone countries would remain friendly to the United States, but the pervasive bonds of the past would presumably diminish. Focusing more specifically on Brazil, the U.S. government hypothesized, over the following years, a steady increase of the Brazilian power and influence, so as to become a counterweight to the United States throughout South America. The relationship with the United States was expected to become more balanced and this would entail more frequent problems of conflicting interests. The Brazilian role in the international scenario would become increasingly relevant. The overall result of these developments on the U.S. position in the region was one of "increasing popularity and decreasing influence"²²⁰, and the relation with Brazil would evolve in terms of shared interests and mutual accommodation rather than asymmetric dependence. In the short term, the U.S. objectives in the region centered on nuclear non-proliferation and human rights, for which the administration was developing elaborated strategies and policy mechanisms. In the medium term, the U.S. aimed at establishing a revised broader relationship with all the Southern Cone countries, but especially with Brazil and this "not only because of Brazil's size and economic

²¹⁹ Memorandum from Preeg to Todman/Lake *U.S. Policy toward Brazil/Southern Cone*, October 27, 1977, Confidential, Records of Deputy Secretary Warren Christopher, NARA.

²²⁰ *Idem*.

influence in the area, but because of the precedent impact of U.S. actions toward Brazil and the political interaction among the existing military governments".²²¹

Hence, Brazil resulted strategically important for the whole hemispheric policy. The central U.S. objective was to bring Brazil gradually into the community of industrial democracies and, to achieve this goal, the U.S. government intended to strengthen bilateral partnerships through informal country groups related to functional issues.

It was probably this spirit to convince the Carter administration to revive the Memorandum of Understanding and to use it to re-establish a stable dialogue after the bad start at the beginning of the year. The United States was well-aware of the necessity to create a growing structure of functional relationships, since there were many areas in which a strict cooperation intended to be pursued such as: energy, not only for nuclear cooperation but in various other forms like oil, hydro-power, coal technology, solar, gasohol, and geothermal; economy, with the aim of getting Brazil more focused on the broader responsibilities of a major participant in the world trade and payments system; international finance, area where Brazil was more reluctant to cooperate and tended to minimize any IMF role in Brazilian affairs; technical assistance to poorer countries, for which Brazil's links with South America and Portuguese-speaking black

²²¹ Idem.

Africa could complement U.S. technology and financial resources.²²²

It is therefore in this framework that Vance's trip to Brasilia has to be inserted and it was easily predictable that the U.S. delegation would look for a constructive dialogue with the outlook of restoring a good relationship and a strict collaboration. What was definitely unexpected was the attitude Silveira assumed on the human rights topic during the private bilateral conversations. Brazil proved also in this way that had a strong self-confidence and knew well that the relationship with the United States was becoming equal.

Unfortunately there are not American records available on the bilateral November meeting and we don't know precisely what the reactions were in Foggy Bottom when Vance reported that Silveira refused to discuss again the human rights issue. It probably appeared fundamental to organize in the best possible way the presidential visit planned in March 1978.

²²² Idem.

5. 1978 : THE HUMAN RIGHTS POLICY AFTER THE FIRST YEAR OF PRESIDENCY.

After the first year of the Carter presidency and the foundation of the human rights policy, it was time to assess the implementation of the new foreign policy.

In the first twelve months four fundamental actions had been promoted to institutionalize the policy: the Bureau of Human Rights and Humanitarian Affairs was established; a separate Inter-Agency Committee (namely the Christopher group) was created, with the aim of examining human rights factors as they were related to bilateral assistance; part of the National Security Council staff was attached specific human rights responsibilities; ambassadors were given personal duty of implementing the policy and assuring fully adequate information gathering.²²³ From January 1978, the Carter administration started to work out the most effective way of implementing a policy of securing greater international respect for human rights: the intention was to discuss both with other developed countries and developing countries how to establish a viable international standard to protect human rights, to obtain a consensus that the international financial institutions had a role to play in that area, and to achieve an agreement on how to cooperate with respect to policy in

²²³ Telegram from SecState Washington DC to AmEmbassy London/Stockholm/Copenhagen/Bonn/Paris/Ottawa/Brussels *Human Rights and IFIs*, January 31, 1978, Unclassified Records of Deputy Secretary Warren Christopher, NARA.

the IFIs. The aim was not “insisting on an American approach but trying to shape an international approach which achieve[d] broadly-shared human rights objectives”.²²⁴

The United States meant to consolidate the human rights policy, hoping to make it become decisive also within existing multilateral frameworks and not only in bilateral relations. The administration acknowledged that the human rights policy had had a pretty good start, but that problems nevertheless remained. “Human rights advocacy ha[d] become” throughout its first months “a standard, visible and important feature” of the U.S. diplomacy.²²⁵ The human rights policy had had until that moment a greater and more visible impact on the U.S. role in the International Financial Institutions, especially on loans for industrial development which often met the ‘basic human needs’ criteria. Since the Carter administration took office, the United States had abstained from voting on eleven loans and had voted ‘no’ in other seven cases on human rights grounds.²²⁶ Then, it was within the IFIs that the U.S. action could have a greater resonance, and could find new supporters. Of course, the United States recognized that effective channeling of IFI resources to

²²⁴ Idem.

²²⁵ Briefing Memorandum from Lake to the Secretary *The Human Rights Policy: An Interim Assessment*, January 16, 1978, Confidential, Records of Deputy Secretary Warren Christopher, NARA.

²²⁶ The United States abstained from voting on loans to Ethiopia, Benin, Argentina, the Philippines, Korea and the Central African Republic; instead the United States voted against seven loans to Chile, Argentina and Guinea.

reflect human rights considerations would require the support and cooperation of other IFI members and this was the reason why the United States was interested in consulting together with other member countries who shared the same concerns and might have similar objectives.²²⁷ Therefore, efforts would be made to channeling loans to countries with good human rights records; consulting with other donors about standards for meeting basic human needs and promoting human rights; and devising with them mechanisms for acting together.²²⁸ Of course, multilateralizing the human rights policy, that is to say if other countries would start applying human rights criteria to their votes, could cause a politicization of the IFIs.

While the discussion was open on how to further implement the policy, it was the moment to assess the results achieved as well as the limits and deficiencies that had emerged.

The first and glaring problem observed was the inconsistency of the human rights policy. The administration admitted that there were “times when security considerations, or broader political factors” led them to be “softer on some countries’ human rights

²²⁷ Telegram from SecState Washington DC to AmEmbassy London/Stockholm/Copenhagen/Bonn/Paris/Ottawa/Brussels *Human Rights and IFIs* (Annex), January 31, 1978, Unclassified Records of Deputy Secretary Warren Christopher, NARA.

²²⁸ Briefing Memorandum from Lake to the Secretary *The Human Rights Policy: An Interim Assessment*, January 16, 1978, Confidential, Records of Deputy Secretary Warren Christopher, NARA.

performance rather than others”.²²⁹ Indeed a memorandum written by the Director of Policy Planning, Anthony Lake, said:

“We sometimes [...] approve a loan in recognition of a positive trend – even though the overall situation in the country remains as bad or worse than that in countries whose loans we oppose. One of the most difficult questions in the human rights business is what actions on our part are most likely to encourage a government to believe that further progress is worthwhile, without leading it to think we believe its human rights problem is solved. This can only be solved on a case-by-case basis, and some of our decisions will turn out to have been wrong”.²³⁰

The inconsistency actually appeared in several aspects: first, the U.S. government seldom continued bilateral aid programs to countries whose IFIs it opposed; second, human rights criteria were applied in a far more rigorous way to economic assistance, designed to help poor people, than to military assistance, perceived as a tool to support repressive regimes²³¹: this was undoubtedly inconsistent

²²⁹ Idem.

²³⁰ Idem.

²³¹ See for example the interesting analysis by Apodaca, Clair and Stohl, Michael *United States Human Rights Policy and Foreign Assistance*, International Studies Quarterly, vol.43 n.1, March 1999, pp.185-198. The two authors analyze in depth the relationship between human rights and U.S. bilateral foreign aid. They observe that the respect of human rights in recipient countries weighed on U.S. economic aid, but not on military aid. “Human rights considerations are neither the only nor the primary

with the spirit of human rights promotion, which easily became secondary with respect to security interests²³²; third, the country-by-country approach led sometimes to punish countries which didn't matter very much to the U.S. security or economic interests (such as Paraguay, Uruguay, the Central African Empire, Benin, Guinea) and to gloss over the human rights records of others who did (like Iran, Zaire, Saudi Arabia, Israel, and the People's Republic of China); fourth, U.S. foreign policy actions appeared to be read as focusing on Latin America as the best theatre for human rights activity, since it was a region where other U.S. interests were not at risk and U.S. leverage was greater.²³³

Indeed the administration admitted:

"In assessing human rights conditions we look to all three groups of rights. Moreover, we are especially sensitive to trends. We think a positive trend is very important. A country may have serious human rights

consideration in aid allocation" they state. Moreover, according to their data, the Carter administration seemed not to be affected by human rights in the distribution of its foreign aid: "Carter's good intentions were often undermined by the realities of power politics" (p.192).

²³² "[...] Because sales of military equipment contribute to such vital objectives such as oil price stability [...]": this was stated in the Briefing Memorandum from Lake to the Secretary *The Human Rights Policy: An Interim Assessment*, January 16, 1978, Confidential, Records of Deputy Secretary Warren Christopher, NARA and it clearly explains that often there were national interests to preserve stronger than human rights ideology.

²³³ Briefing Memorandum from Lake to the Secretary *The Human Rights Policy: An Interim Assessment*, January 16, 1978, Confidential, Records of Deputy Secretary Warren Christopher, NARA.

problems, but if it is making a genuine effort to rectify them, even though the process may take time, we would not generally oppose IFI lending to that country. While there is a good deal of unavoidable subjectivity in the implementation of our human rights policy, we think this fact should not be overdrawn. [...] With respect to consistency, we do not claim that there is a worldwide consistency in the techniques we use. Our foreign policy interests overall and with respect to particular countries are simply too diverse to permit this. This is not to say, however, that our concern for human rights differs from country to country. Our concern remains constant. It is methods and techniques of pursuing those concerns which may differ from country to country, in light of different circumstances and interests".²³⁴

Despite the various drawbacks that was possible to find, the United States was sure that its post-Vietnam, post-Watergate image had been greatly improved. According to the general perception within the administration, this boosted the American standing in Europe and helped in the relations with several least developed countries (LDCs), because the new policy resulted to be appealing and encouraging to many people living under repressive regimes.²³⁵ Patriotic tones emphasized even more how

²³⁴ Telegram from SecState Washington DC to AmEmbassy London/Stockholm/Copenhagen/Bonn/Paris/Ottawa/Brussels *Human Rights and IFIs* (Annex), January 31, 1978, Unclassified Records of Deputy Secretary Warren Christopher, NARA.

²³⁵ Briefing Memorandum from Lake to the Secretary *The Human Rights Policy: An Interim Assessment*, January 16, 1978, Confidential, Records of Deputy Secretary Warren Christopher, NARA.

important the positive effects of the policy were:

"This underscores what many of us frequently forget – the U.S. is a model for many countries; our influence transcends our political, economic, and military power and is strikingly important in ethical, cultural, and value areas; other governments find themselves unable entirely to ignore the impact of U.S. policy and actions – particularly when we join action to rhetoric. Our championship of human rights is encouraging others to do likewise. [...] The important thing is that we are contributing to an international consciousness-raising and a climate conducive to human rights improvements".²³⁶

This was the way the U.S. administration perceived its own action abroad, but how was it perceived outside the American borders? The Brazilians made an attentive analysis of the new administration's foreign policy, especially on the ideological roots of the human rights diplomacy.

According to an analysis by the Brazilian foreign ministry²³⁷, the key of Carter's proposal was reversing the negative attitude that seemed to characterize U.S. foreign policy, becoming offensive and inducing their opponents to adopt defensive postures. How, though, to support this new orientation of the external action? Certainly, the new

²³⁶ Idem.

²³⁷ Memorandum *A Visita do Secretário Vance/As Relações com os Estados Unidos (Direitos Humanos e Questão Nuclear)*, December 1977, Secreto, AAS mre be 1977.27.01.

administration wanted it to be very clear the distinction with the foreign policy of the previous presidency.

The guidance of Kissinger, conditioned by a national will weakened by the Southeast Asia crisis, and not least, by the institutional crisis caused by the Watergate scandal, consisted in “disengagement and in maintainability of positions”.²³⁸ On the contrary, Carter proposed to reshape this direction, reorganizing the national will around a new ideal of freedom, fundamental principle of the U.S. ethical traditions. Carter intended to replace the defensive concept of freedom, represented by anti-communism, with the offensive concept of the worldwide promotion of global human rights.

It should be noted that the main addressee of the new American doctrine was always the Soviet Union. The policy was reoriented, but the goal remained actually the same. Changes would be in the method and the tactic, but the political substance would remain unchanged, centered on the Soviet-U.S. rivalry. And this for the simplest of reasons, namely because the Soviet Union was the only veritable rival, the only real threat to the security of the United States of America.²³⁹ Therefore, the Brazilian military interestingly interpreted the human rights policy through the prism of the cold war and, more specifically, assumed that the spirit of *détente* had not softened the U.S.-Soviet rivalry at all. According to this analysis, the new U.S. foreign policy appeared not to be as innovative as the Carter

²³⁸ Idem.

²³⁹ Idem.

administration asserted it was.

5.1 Preparing President Carter's visit to Brazil.

The first weeks of 1978 were all centered on the organization of the presidential tour of Latin America and Africa²⁴⁰: originally scheduled for November 1977, Carter had to postpone his trip in late March-early April 1978 because of "urgent business in connection with the Congressional consideration of [his] administration's energy program".²⁴¹

Carter and Geisel had maintained an intense correspondence through 1977, and both had always been very frank in expressing their points of view on the most sensitive issues of the U.S.-Brazilian relations. After Rosalynn's trip to Brasilia, Jimmy Carter acknowledged how the direct exchange was "invaluable" in giving him and his staff "a better perception of the Brazilian view of world problems, and of Brazil's national goals and

²⁴⁰ Five were the stops planned on Jimmy Carter's journey in four countries: Caracas (Venezuela), Brasilia and Rio de Janeiro (Brazil), Lagos (Nigeria), and Monrovia (Liberia).

²⁴¹ Letter from Carter to Geisel, November 5, 1977, AAs mre be 1976.00.00.

aspirations".²⁴² Carter had a strong commitment in making the relations between the two countries cooperative and constructive, and in many occasions he wrote to Ernesto Geisel how the cementing of close ties between their two countries was of the highest priority to him.²⁴³ On February 24, 1978 Brzezinski announced in a press conference the specific schedule of the presidential trip: President Carter would arrive in Brasilia on Wednesday March 29, stay there for one day and then fly to Rio de Janeiro on March 30, from where he would leave for Lagos on March 31. Brzezinski briefly announced also the agenda of the conversations between Carter and Geisel:

"Our agenda here will include, of course, such matters as the energy issue and also the related problem of nonproliferation in the world and the Western Hemisphere. We will talk about global and bilateral economic issue [...]. We will discuss our perspectives on human rights and we will also discuss political developments in the hemisphere and in the world, given Brazil's increasingly significant role in international affairs".²⁴⁴

The Carter administration had a very clear awareness of the international role of Brazil in those years. The

²⁴² Letter from Carter to Geisel, June 24, 1977, AAS mre be 1976.00.00.

²⁴³ Letters from Carter to Geisel sent on March 30, 1977, May 23, 1977, May 26, 1977, June 24, 1977, and October 25, 1977 all available in AAs mre be 1976.00.00.

²⁴⁴ Telegram *Politica. Brasil-Estados Unidos. Viagem do Presidente Carter* (Anexo), February 24, 1978, Secreto-Exclusivo-Urgentissimo, AAS mre be 1976.00.00.

Brazilian diplomacy sat at several negotiating tables and was able to deal with different international interlocutors: Brazil was a key-actor in the North-South dialogue, had intense exchanges with the Portuguese-speaking African countries, and was an important partner of the major economies of the Western world.

An anonymous document written by an outsider circulated the White House during preparations for Carter's trip²⁴⁵, arguing for encouraging Brazil to "become a responsible Western country": according to this unsigned memorandum, the short-term objective of the presidential trip consisted in encouraging "Brazil to adopt the stance of a responsible member of the Western community and to recognize that Brazil ha[d] arrived as an international power".²⁴⁶ Despite the fact that the author of the document was unknown, Bob Pastor considered it to be certainly "a person who clearly [knew] Brazil well".²⁴⁷ And effectively the memorandum offered an attentive analysis of the current Brazilian internal situation as well as an accurate study of the possible future developments of both its economy and politics. According to this memorandum, one of the most urgent issues to solve for the Brazilian government was energy supply:

²⁴⁵ Spektor, Matias *cit.*, p.266.

²⁴⁶ Unsigned Memorandum *Encouragement of Brazil to Become a Responsible Western Power*, White House Central Files, Box CO13, Unclassified, no date, JCL.

²⁴⁷ Memorandum from Pastor to Brzezinski *Your Request for Comments on the Brazil Memo*, White House Central Files, Box CO13, Unclassified, November 4, 1977, JCL.

“Still lacking adequate fossil fuels, Brazil hopes to find enough oil offshore to become self-sufficient by the turn of the century at the latest. Brazil is, however, actively developing its enormous hydroelectric potential and is advanced in the production and use of alcohol from sugarcane [...]. An independent technological and research base is still lacking, but the university population has grown ten-fold since 1960 [...]. Brazil intends to push nuclear power projects [...]. The absence of nuclear weapons is inconsistent with the military’s concept of Brazil’s destiny”.²⁴⁸

Aside from the lack of nuclear weapons and of a steady technological base, the memo considered the small size of armed forces the only factor still keeping Brazil aside from being considered a major world power. Brazil indeed preferred to devote its investments and resources to economic expansion.

Despite their long-term ambitions, Brazilian leaders were considered “ambivalent in terms of current policy”:

“They want to be taken seriously as an international power and are sensitive to slights. They want all the advantages of being or posing as an underdeveloped nation. [But] per capita GNP already exceeds \$1,000 in Brazil and is steadily growing with population growth at

²⁴⁸ Unsigned Memorandum *Encouragement of Brazil to Become a Responsible Western Power*, White House Central Files, Box CO13, Unclassified, no date, JCL.

about 2.9% per annum and GNP growing at an average of over 7% for the last two decades, in real terms."²⁴⁹

Contradiction, ambiguity, ambivalence: being a country on the edge between developed and developing world seemed to be a major characteristic of Brazil, a clear strategic choice in order to try to take advantage from both conditions.

The decision to denounce the bilateral military agreement signed with the United States in 1952 meant that Brazil was looking for a new relationship, and a new status in the international scenario as well. According to the memo, in the longer term the U.S. might think to support the Brazilian accession to the network of Western institutions. The memorandum raised the possibility of Brazil becoming a member of the Atlantic Alliance, while Pastor, in his comments to this document, suggested also the idea of increasing the Brazilian representation in the International Monetary Fund (IMF) or in the international banks.²⁵⁰ At any rate, Brazil would not be satisfied just with the OAS membership for the years to come, because it was very unlikely that Brazil saw itself exclusively in that context.²⁵¹ Nevertheless, Brazil's "authoritarian system of government

²⁴⁹ Idem.

²⁵⁰ Memorandum from Pastor to Brzezinski *Your Request for Comments on the Brazil Memo*, White House Central Files, Box CO13, Unclassified, November 4, 1977, JCL.

²⁵¹ Unsigned Memorandum *Encouragement of Brazil to Become a Responsible Western Power*, White House Central Files, Box CO13, Unclassified, no date, JCL.

and its undistinguished record of human rights" were the "main stumbling blocks" for its inclusion in the key Western institutions: how could the United States lure Brazil into the club of industrialized nations? The issue was relevant for the development of hemispheric as well as international relations. In the near future, but with this long-term target in mind, Carter would have to put an effort first to obtain a normalization of the relations between the two countries. President Carter definitely managed to achieve this goal, and the 1978 presidential visit to Brazil was considered the major event in the U.S.-Brazilian relationship since Carter took office. Two concurrent trends in late 1977 had been conducive to this change of attitude, Timothy Power recalls: that is to say "a growing recognition that the human rights issue could be handled maturely as a simple issue of contention between the United States and Brazil, coupled with the improving Brazilian human rights record".²⁵² Indeed, in the few weeks before Carter's trip the Department of State dealt with two delicate decisions: whether to sell to Brazil items on the U.S. munitions list and whether to export computer systems for Brazilian Criminal Investigation Agency, and more specifically three computerized fingerprints identification systems. In both cases, the human rights situation in Brazil could affect negatively the decision: in the case of the munitions list items because they would be sold to the Brazilian Navy, Air Force and other government agencies not engaged in civil law enforcement or internal

²⁵² Power, Timothy *cit.*, p.24.

security functions²⁵³; in the case of fingerprint computers there were doubts on their possible secondary applications to political monitoring, repression or human rights abuses.²⁵⁴ For both these resolutions it was necessary to assess the human rights situation in Brazil, one year after the publication of the State Department's report. And it appeared that a relevant improvement had taken place:

"Brazil's domestic human rights performance over the last several months has been marked by slow, hopeful progress, though there are still problems which affect both civil and political liberties. Internationally, the Brazilian Government continues to assert that the protection of human rights is an internal matter only, and Brazil is probably the most effective Latin American opponent of an active role for the IAHRRC and its UN counterpart".²⁵⁵

Despite the continuing Brazilian reluctance to accept an international handling of the human rights issue, it was nevertheless clear that:

²⁵³ Action Memorandum from Gelb to the Deputy Secretary *Commercial Sales to Brazil of Items on the U.S. Munitions List*, March 7, 1978, Secret, Records of Deputy Secretary Warren Christopher, NARA.

²⁵⁴ Telegram from AmEmbassy Brasilia to SecState Washington DC *Human Rights and GOB Purchase of US Computers*, June (17?), 1978, Secret, Records of Deputy Secretary Warren Christopher, NARA.

²⁵⁵ Attachment to the Action Memorandum from Todman to Benson *Human Rights*, no date, Secret, Records of Deputy Secretary Warren Christopher, NARA.

"Brazil is a human rights problem country, but it is not a serious human rights problem country. [...] The trend is up in Brazil, something PD 30 mandates to we take into account. [...] Brazil [is] on an upward trend and [is] arguably better than a number of other important countries, Indonesia, the Philippines, Iran".²⁵⁶

In view of the upcoming presidential trip, the Human Rights and Humanitarian Affairs Bureau (HA) together with the American Republic Affairs Bureau (ARA) wrote a human rights paper presenting a picture of Brazil with a remarkable improvement of the human rights situation:

"President Geisel's repeated orders against torture seem to have seeped down to the working level of the security forces. Mistreatment of political prisoners seems to have virtually stopped, though this is not so of common criminals and marginal socio-economic groups. Recently the President of the Supreme Military Tribunal strongly condemned mistreatments of prisoners. This prompted in Air Force court in Rio de Janeiro to grant provisional liberty to several defendants who claimed they had been tortured after their arrest".²⁵⁷

Therefore, within the administration prevailed the idea that in Brazil there was not a consistent pattern of gross

²⁵⁶ Memorandum from McNeil to Oxman *Brazil Fingerprint Computers*, April 17, 1978, Confidential, Records of Deputy Secretary Warren Christopher, NARA.

²⁵⁷ Tab.2 *Human Rights in Brazil*, no date, Secret, Records of Deputy Secretary Warren Christopher, NARA.

violations of human rights any more. But this view was not widely shared. In July 1978 two journalists of the Los Angeles Times raised the major contradictions of the Carter administration's human rights policy toward Brazil. The frequent statements about the clearly improved human rights situation:

"[...] appear nearsighted in light of what is actually happening in Brazil. As recently as April, 1977 Brazilian President Ernesto Geisel arbitrarily suspended Congress when that body pressed for judicial reform, especially the reestablishment of the *habeas corpus* in political cases. Nowadays, government decrees and broader 'institutional acts' allow government authorities to override constitutional guarantees of due process and to hold, without trial, anyone considered a threat to 'national security'. [...] Amnesty [International] also noted in its most recent annual report that, 'although brutal and violent arrests of political prisoners have diminished, Amnesty International is concerned at increasing reports of the torture and ill-treatment of people [...] suspected of ordinary crimes'".²⁵⁸

An in-depth study of the political and economic Brazilian scenes was also prepared. It highlighted that since 1974, year in which President Ernesto Geisel took office, political opening and relaxation (*abertura e distensão*) had

²⁵⁸ Arnsen, Cynthia and Klare, Michael T. *Human Rights: Here Is the Noble Theory... But Is This the Practice, At Least in Brazil?*, Los Angeles Times, July 2, 1978 attached to Memorandum from Schneider to Oxman *Attached Article on Brazil Computer Sale*, July 19, 1978, Unclassified, Records of Deputy Secretary Warren Christopher, NARA.

been gradually put into effect. The approach taken entailed allowing a greater role for Congress in the political process and a greater opportunity for political critique in the country.²⁵⁹ The opposition party (*Movimento Democrático Brasileiro* – MDB) had obtained significant gains in the elections, “including a majority in five state legislatures, about 44 per cent of the seats in the Federal Chamber of Deputies and one-third of the Senate seats”.²⁶⁰ The President had important exceptional powers and Geisel used them also in 1977. In fact, in March 1977 the Congress rejected a constitutional amendment to reform the judiciary proposed by the executive branch. As a consequence, Geisel responded by closing Congress for two weeks (from April 1 through April 16), using precisely the extraordinary powers granted to the President by the Institutional Act number 5 (*Ato Institucional Número Cinco* – AI-5)²⁶¹. “In the

²⁵⁹ President Carter’s Visit to Latin America and Africa March 28-April 3, 1978 *Political-Economic Overview of Brazil*, no date, Unclassified, Jody Powell Papers Subject Files, JCL.

²⁶⁰ *Idem*.

²⁶¹ The AI-5 was the fifth of seventeen acts issued during the Brazilian military regime. The AI5 was issue in December 1968 by President Artur da Costa e Silva. Institutional Acts were the highest form of legislation during the military regime, given that they could overrule even the national Constitution and were enforced without possibility of judicial review. The Institutional Act number five stated that: the President of the Republic was given authority to order the National Congress and the State Legislative Assemblies into forced recess; this power was used as soon as AI-5 was signed, resulting in the closure of the National Congress and all the Legislative Assemblies of the Brazilian States (with the exception of São Paulo) for almost a year; during the periods of forced recess of the federal and state legislatures, the President and the Governors of State were given full legislative power and they could legislate by means of decree-law; the federal government, under the pretext

further exercise of these powers, President Geisel decreed the judicial reform and instituted a number of other changes including the indirect election of State governors and part of the Senate, alteration of electoral schedule, and lowering from two-thirds to one-half of the congressional majority needed to pass a constitutional amendment. These measures produced a strongly negative reaction in broad sectors of public opinion".²⁶² Hence, also during the first months of the Carter presidency, the Brazilian political scene had experienced moments of serious repression by the military.

Economically speaking, Brazil was facing a quite difficult period. The balance of payment deficit, together with an inflation rate that reached 46% in 1976, represented

of national security, could intervene in states and municipalities, suspending the local authorities and appointing federal officers to run the states and the municipalities; it was allowed the preliminary censorship of music, films, theater and television (a work could be censored if it was understood as subverting the political and moral values) and the censorship of the press and of any other means of mass communication; political meetings not authorized by the police were considered illegal; *habeas corpus* for political crimes was suspended; the President assumed the power to decree the suspension of political rights of citizens deemed subversive, depriving them for up to ten years of the capacity of voting or of standing for election; the President also assumed the power of sacking summarily any public servant, including elected political officers and judges, if they were found to be subversive or un-cooperative with the regime. It is possible to find the full text of the AI5 at the following website:

<http://legis.senado.gov.br/legislacao/ListaPublicacoes.action?id=194620>.

²⁶² President Carter's Visit to Latin America and Africa March 28-April 3, 1978 *Political-Economic Overview of Brazil*, no date, Unclassified, Jody Powell Papers Subject Files, JCL.

the harshest problems to solve for Brazil's economic managers. The balance of payment deficit was reduced through 1977 "by the windfall from high coffee and soybean prices, two of Brazil's most important agricultural exports. After showing large deficits for the previous three years, the trade account (exports and imports) was in rough balance". The account in 1977 was in deficit by about \$4 billion.²⁶³

The long-standing U.S.-Brazil relationship had become more complex and intense since WWII, particularly in the economic area. Brazil was the hemisphere's major beneficiary of USAID and had also been a major recipient of American Peace Corps volunteers. Moreover, also the bilateral trade exchange was very important: the U.S. was Brazil's largest trading partner, while Brazil was the eighth largest trading partner of the United States.²⁶⁴ And also one-third of Brazil's public and private debt (which totaled about \$31 billions) was owed to private U.S. banks.

The two countries were strictly intertwined and, in the name of both the historical tradition of their relations and the future developments of hemispheric equilibriums, it was necessary that president Carter made any possible effort to re-establish the U.S.-Brazilian engagement.

²⁶³ Idem.

²⁶⁴ Idem.

5.2 Jimmy Carter in Brasilia and Rio de Janeiro: March 29-31, 1978.

The Air Force One landed at the Brasilia military airport, arriving from Caracas, in the afternoon of March 29, 1978. President Geisel was there to greet the U.S. delegation. Jimmy Carter was the first U.S. President to visit Brazil in eighteen years since President Eisenhower's visit to Brasilia, Rio de Janeiro and São Paulo in February 1960.²⁶⁵

As described in the paragraph above, Brazil was too strategically significant for the United States and this is why Brasilia was a sensitive stop-over for Carter and his staff. A memo from Cyrus Vance to the president prior his trip urged Carter to try to convince the Geisel administration that the United States welcomed "Brazil's increasingly important role in the world and [was] prepared to consult seriously on major issues".²⁶⁶ Despite not omitting human rights and nuclear proliferation from his talks with Geisel, Carter had the difficult task to regain Brazil's will to be a trustworthy partner and interlocutor of the United States. Probably for this reason the schedule of the bilateral meetings was pretty intense and Carter and Geisel met three times in one day and a half.

The first round of bilateral talks started one hour after Carter's arrival in Brasilia at the Palácio do Planalto and

²⁶⁵ <http://history.state.gov/departmenthistory/travels/president/brazil>.

²⁶⁶ Cited in Crandall, Britta H. *cit.*, p.126.

lasted for one hour.²⁶⁷ The meeting participants were, for the American side, President Carter, Secretary of State Vance and National Security Advisor Brzezinski; the Brazilian delegation was made up of President Geisel and *chanceler* Silveira. This first meeting dealt principally with two topics, that is to say the political scenarios in Africa and the Middle East²⁶⁸ and it was chosen not to tackle immediately the themes considered controversial by both parts. In hindsight, it seems this was an 'exploratory moment', to test the waters.

The traditional long friendship linking Brazil and the United States was recalled in Geisel's words at the end of the meeting. Also Carter declared how relevant the United States considered the relations with Brazil, and he expressed his concern that recent misunderstandings would keep growing rather than revive the old friendship. The Brazilian President replied conciliatorily asserting that Brazil had been and would always be a loyal friend, and that the points of convergence were definitely more than those of divergence. Geisel also expressed the belief that the talks would be rewarding and would renew trust in the relations between the two countries.²⁶⁹

²⁶⁷ President Carter's Visit to Latin America and Africa March 28-April 3, 1978, no date, Unclassified, Jody Powell Papers Subject Files, JCL.

²⁶⁸ Lembrete *Primeira Reunião do Presidente Ernesto Geisel com o Presidente Jimmy Carter*, March 29, 1978, Secreto-Exclusivo, AAS mre be 1976.00.00.

²⁶⁹ Idem.

The second meeting took place in the evening of that same day, during the dinner offered at the Palácio da Alvorada. At the beginning of the evening, Carter expressed his wish that Geisel would go to visit the United States before his successor Figueiredo would take office in March 1979. But Geisel turned the proposal down saying that he “had scruples in accepting invites during the last year of his mandate”²⁷⁰: was it, as Spektor affirms, that “Geisel now saw commitments with Washington as too dangerous and unstable an entanglement”²⁷¹? Geisel politely declined the invite, showing that he didn’t want Brazil to be subject to an excessive involvement with the United States, nevertheless Carter didn’t give up and continued pushing on crucial issues for the U.S.-Brazil bilateral relations. Carter asked Geisel’s opinion on the possibility of establishing a sub-group on agriculture, within the framework of the Memorandum of Understanding, which would work on American investments in Brazilian market. Even in this case Geisel proved to have a pretty severe stance: in fact, he replied addressing the issue of human rights, stressing the

²⁷⁰ Lembrete *Segunda Reunião do Presidente Ernesto Geisel com o Presidente Jimmy Carter – Banquete no Palácio da Alvorada*, March 29, 1978, Secreto-Exclusivo, AAS mre be 1976.00.00. A few weeks later, also the New York Times gave the news about the Brazilian decline to Carter’s invitation and reported: “Relations between the United states and Brazil have been strained under the Carter administration by differences over human rights and nuclear policy, but the reason for the rejection was ‘lack of time’, according to a presidential spokesman”. See *Brazilian Declines Carter Invitation*, The New York Times, May 7, 1978.

²⁷¹ Spektor, Matias *cit.*, p.267.

Brazilian position according to which the basic rights of the person to receive food, medical care, education and housing had to prevail on anything else.²⁷²

Jimmy Carter then dropped the subject, probably to avoid any controversy, and switched to another “sensitive question”: he affirmed that the United States was “anxious” to restore military relations with Brazil, and that would do it “discreetly”, “without embarrassing” the Brazilians. In this case Geisel was far more conciliatory: he stated that Brazil would accept with pleasure the restoration of military relations but could not tolerate any criticism by U.S. Senate to the Brazilian political system. Carter committed himself to talk about the issue with “influential U.S. senators” as soon as he would be back to Washington DC. No further problems would emerge in the future and the restoration of military relations would be successful, Carter guaranteed.²⁷³

On March 29, 1978 late at night there was also a meeting between Vance and Silveira²⁷⁴. The topics covered

²⁷² Lembrete *Segunda Reunião do Presidente Ernesto Geisel com o Presidente Jimmy Carter – Banquete no Palácio da Alvorada*, March 29, 1978, Secreto-Exclusivo, AAS mre be 1976.00.00.

²⁷³ Idem.

²⁷⁴ Secretary Vance was accompanied by Undersecretary Terence Todman, Policy Planning Director Anthony Lake, Embassy Chargé d’Affaires Richard Johnson, and Counselor Klaus Ruser; for the Brazilian side, *chanceler* Silveira was together with two Ambassadors Pinheiro and Pereira de Araujo, Counselors Nogueira Filho, Sardemberg and Rego Barros, and Secretary Santos Neves. See Lembrete n.116 *Reunião do Ministro Antonio F. Azeredo da*

in the summit between the two Foreign Ministers replicated those tackled in the morning by the two Presidents: that is to say, the African political situation, the way Western powers could deal with the African Marxist governments, the relations between Israel and Egypt, and the Middle East peace process. According to the Brazilian records, frankness and cordiality characterized also this round of conversations but this did not suffice to find a common ground on the issues raised. Besides this, the talks did not focus on any specific bilateral issue, least of all on human rights.

On the following day March 30, the two presidents met again in late morning for a third round of one-hour bilateral talks.²⁷⁵ As the Brazilian records tell us, the participants were the same as in the first meeting which took place the morning before. Not the same, of course, were the topics. Above all, the two delegations talked about the U.S.-USSR relations and the nuclear issue in Brazil: Carter offered thorium for the Brazilian nuclear plants, thereby trying once again to drift Brazil apart from the nuclear agreement with West Germany. But Geisel dropped the argument without continuing the conversation on the subject.

Silveira com o Secretário de Estado Norte-Americano, Cyrus Vance, 29 de Março 1978. Relato, July 20, 1978, Secreto-Exclusivo, AAS mre d 1974.04.23.

²⁷⁵ *Lembrete Terceira Reunião – Brasília, 30 de Março 1978 – Palácio do Planalto, March 30, 1978, Secreto-Exclusivo, AAS mre be 1976.00.00.*

According to the scheduled agenda a further meeting was planned for later that day, but Geisel said that, in his opinion, it was definitely unnecessary, given that the results achieved thus far had been very positive.²⁷⁶

Was it true? Could the results achieved be considered successful? The sensitive issues had been left on the edge: the nuclear issue was discussed but didn't give any new outcome; and what about human rights? They *de facto* disappeared from the bilateral agenda. Nevertheless, Carter addressed the human rights issue in less private and less reserved circumstances.

Indeed, in early morning of March 30, 1978, a couple of hours before meeting President Geisel for the third round of conversations, Jimmy Carter delivered a speech before the Brazilian Congress. The words pronounced left no doubt: the worldwide guarantee of the respect of basic human rights continued to be a primary goal for the American presidency. But Jimmy Carter took advantage of being before the Congress in Brasilia to highlight other crucial issues: despite the undeniable differences between the United States and Brazil, the two countries shared an old tradition of friendship and alliance; both countries were pivotal actors of the Western hemisphere and, as such, partook both responsibilities and objectives in the international arena. In fact, Carter said:

²⁷⁶ Idem.

"I recognize that in your country and in mine there is a great diversity of interest, differences among people, and a constant, unceasing, most often successful struggle to bring harmony among differences and to carve out common commitments that will add the strength of all those different people together to reach a destiny even more inspirational than the past history has already given to us.

We share a common religion among many of our people, a common hope for peace. We share a feeling that our nations are bound together with unbreakable chains. We share a realization that while friendship is strong enough to sustain transient differences of opinion, that we can exchange ideas freely and without constraint and, in the process, learn about one another and perhaps improve the attitudes of people in the United States and also in Brazil.

We are learning together in the Western Hemisphere, which still has the vigor of newness, how we can exert our leadership throughout the rest of the world in dealing with hunger and despair, in dealing with the struggle for basic human rights.

We understand the broad definition of these two important words—the right to freedom, the right to criticize a government, the right of people to contain within themselves, collectively, the ultimate authority, the right to an education, the right to good health, a place to live, food, the right to share more equitably the riches with which God has blessed us, the right to express opinions, the right to enhance our own individuality, the right to seek collective solutions to private and public

problems, the right to expose the greatness of our own nations which we love".²⁷⁷

Maybe the speech was read as provocative by the Brazilian military leadership: the U.S. President decided to talk about "the right to freedom, and the right to criticize a government" before the same Congress that Ernesto Geisel, enacting the AI-5, had closed for two weeks in 1977; moreover, Carter raised the human rights issue publicly and not during the bilateral summits, certainly in order to give the issue a major impact.

Not by chance, on March 30, 1978 the New York Times emphasized that Carter in Brasilia raised "rights and nuclear issues"²⁷⁸:

"Mr. Carter spoke of both human rights and non-proliferation – the two issues that have exacerbated relations with Brazil and brought them to what one American official described as 'a 30-year low'. On human rights, President Carter said that it would be necessary for the United States and Brazil to speak to 'each other frankly and with understanding' if progress wants to be made in advancing 'the cause of human freedom and the rule of law'. [...] Briefing reporters this evening, Jody Powell, the White House press secretary, said that

²⁷⁷ Carter, Jimmy *Remarks Before the Brazilian Congress – Brasilia*, March 30, 1978, PPPUS, available online at: <http://www.presidency.ucsb.edu/ws/index.php?pid=30595&st=&st1=>.

²⁷⁸ Smith, Terence *Carter, in Brasilia, Raises Human Rights and A-Weapons Issue* "The New York Times", March 30, 1978.

despite the well-known and publicly expressed differences between the two countries on these issues, neither was discussed in the initial talks between Mr. Carter and General Geisel this evening. He said he was confident that both points would be raised when the talks were resumed tomorrow because 'none of us is making any pretense about the differences that exist'".²⁷⁹

The U.S. press gave a quite positive balance of the presidential stop in Brasilia. Two were the major results achieved: first, there was "an apparent reduction of the tensions" between the U.S. and Brazilian governments, even though there was not a narrowing of the differences on human rights and nuclear policy²⁸⁰; second, President Carter was able in going a long way toward convincing the Latin American leaders he met that "they could deal with the United States as equals".²⁸¹ The Latin American trip could be considered a turning point in Carter's regional foreign policy:

"For Carter, while he early expressed an interest in a new relationship with Latin America, positive policy has taken a back seat to highly publicized criticism of human rights abuses. [...] The Latin American trip was Carter's first chance to put some teeth in his expressed good

²⁷⁹ Idem.

²⁸⁰ Smith, Terence *Carter's Meetings with Brazilians Seem to Cut Tensions Despite Rifts* "The New York Times", March 31, 1978.

²⁸¹ DeYoung, Karen *Gain In Stature Seen for Latins After Carter's Trip* "The Washington Post", April 1, 1978.

intentions for a new Latin American policy based on equality and mutual respect".²⁸²

Were the tensions between Washington and Brasilia eased? According to the joint communiqué issued after the bilateral talks, they definitely were.

At first, the two governments announced that "the conversations between the two Presidents took place in an atmosphere of frankness, cordiality and mutual respect". Moreover, the two Presidents expressed "their great personal satisfaction that their conversations, conducted in an atmosphere of friendship [...], had resulted in a very useful, comprehensive and mutually beneficial exchange of views on a wide range of multilateral and bilateral issues".²⁸³

President Carter enthusiastically declared at the end of his trip to Latin America and Africa:

"In Brazil, one of our close allies over the years, we reestablished the understanding of the long-term, common interests and friendship between our people. And we stressed, perhaps in different ways, our mutual

²⁸² Idem.

²⁸³ Carter, Jimmy *Joint Communiqué Issued Following Meetings Between President Carter and President Geisel – Brasilia*, March 30, 1978, PPPUS, available online at: <http://www.presidency.ucsb.edu/ws/index.php?pid=30596&st=&st1=>.

concern about nuclear nonproliferation and human rights".²⁸⁴

Furthermore, he wrote down in his diary:

"We [...] had a good visit to Brazil. Foreign Minister Silveira was amazed at the number of people who came out to the highway to greet us, at the friendliness of their reaction. I personally liked President Geisel very much. He's an older gentleman, military, frank, honest, blunt, cool at first in his welcoming remarks, particularly. I rejected Zbig's suggestion that we be cool also, and made a very warm statement. The two major issues are our insistence on human rights, which are abridged in Brazil but on which progress in being made, and the concern we have about Brazil putting in a nuclear reprocessing plant which we don't think they need. In both instances Brazil has considered this position of the United States an unwarranted intrusion into their affairs".²⁸⁵

From the reading of these memories, it is clear that Carter intended to melt the coldness of the Brazilian military, making a warm statement and behaving friendly. Certainly, Carter was helped by the positive impression he received of President Geisel.

Drawing on their deep common heritage of respect for the Rule of Law and their determination to improve the

²⁸⁴ Carter, Jimmy *The President's Trip To Latin America and Africa Remarks on Arrival at The White House – Washington DC*, April 3, 1978, PPPUS, available online at:

<http://www.presidency.ucsb.edu/ws/index.php?pid=30611&st=&st1=>.

²⁸⁵ Carter, Jimmy *White House Diary*, cit., p.181.

conditions of life of their peoples, both Presidents reaffirmed and agreed that the progress of mankind will be measured in large part by advances made in guaranteeing and assuring the political, economic and social rights of all peoples.

“President Carter emphasized the fundamental commitment of his country to the promotion of human rights and democratic freedoms as basic to the process of building a more just world, and stated that the Universal Declaration of Human Rights and the OAS Charter provide a framework for international concern in this area. In this regard President Geisel recalled that international cooperation for the affirmation of human rights, in all their aspects, is one of the noblest tasks of the United Nations. He stressed the preoccupation of the Brazilian Government with the observance of human rights and noted the essential role of economic, social and political development in attaining progress in this area”.²⁸⁶

President Carter reviewed the global scope of the U.S. non-proliferation policy: he emphasized that the United States aimed at limiting the spread of nuclear weapons, but at the same time encouraged international cooperation in the development of the peaceful use of atomic energy. President Geisel noted Brazil's equal concern for non-proliferation of nuclear weapons and stressed that Brazil

²⁸⁶ Carter, Jimmy *Joint Communiqué Issued Following Meetings Between President Carter and President Geisel – Brasilia, March 30, 1978*, PPPUS, available online at: <http://www.presidency.ucsb.edu/ws/index.php?pid=30596&st=&st1=>.

strongly supported international efforts towards disarmament; he moreover emphasized that, in fact, Brazil's nuclear program had strictly peaceful objectives, in order to meet the country's energy needs.

In this connection, asked about the U.S. attempts to persuade Brazil to give up reprocessing and enrichment technology acquired from Germany, President Carter affirmed that the United States strongly favored the right of any country to have part of its energy supplies come from nuclear power and that would never prevent that trend continuing, both in Brazil and in any other countries in the world. And on the Brazil-West Germany agreement stated:

"Our own nuclear nonproliferation policy, however, tries to draw a distinction between the right and the meeting of need of countries to produce energy from atomic power on the one hand, and the right of the country to evolve weapons-grade nuclear materials through either enrichment processes or through reprocessing.

We have no authority over either West Germany nor Brazil, nor do we want any. But as a friend of both countries, we reserve the right to express our opinion to them, that it would be very good to have, and possible to have, a complete nuclear fuel system throughout a country without having the ability to reprocess spent fuel from the power reactors".²⁸⁷

²⁸⁷ Carter, Jimmy *The President's News Conference of March 30, 1978 – Brasília*, PPPUS, available online at: <http://www.presidency.ucsb.edu/ws/index.php?pid=30594&st=&st1=>.

The U.S. government wanted it to be clear that neither any pressure nor interference would be put in place toward Brazil and the FRG: Carter was very clear when he said that the U.S. not only didn't have any authority over them, but did not want any. This statement revealed that Washington had a definitely less aggressive attitude than the year before.

The two Presidents released a joint press communiqué precisely to prove that the bilateral dialogue was successfully renewed and accord was re-established. They led the press know that during their meetings they "reviewed the conditions and prospects of the world economy" and "strongly endorsed the key role of international financial institutions such as the World Bank and the Inter-American Development Bank". Moreover, Carter and Geisel "agreed on the importance of frequent consultations and close cooperation between the two Governments. They agreed that the mechanisms and procedures of consultation established under the Memorandum of Understanding of February 21, 1976, should continue to be used and instructed their Foreign Ministers accordingly. The two Presidents expressed their intention to continue in close personal communication so as to permit their direct and prompt address to matters of special interest to their two countries"²⁸⁸. For this reason, it

²⁸⁸ All the quotation from: Carter, Jimmy *Joint Communiqué Issued Following Meetings Between President Carter and President Geisel – Brasília*, March 30, 1978, PPPUS, available online at: <http://www.presidency.ucsb.edu/ws/index.php?pid=30596&st=&st1=>.

was decided that the Fifth Session of the Brazil-US Sub-Group on Trade would take place in Brasilia in May.

With respect to the first months of 1977 the tones had radically changed, and the joint communiqué was evidence of this. Not surprisingly, during the press conference before Carter's departure to Rio de Janeiro a couple of provocative questions (from Brazilian journalists) were addressed to the U.S. President. It is interesting to quote entirely both the questions and the answers given:

"Q: Mr. President, at the beginning of your administration there was a clear tendency to isolate and treat Brazil coldly in favor of democratically elected governments, elected by the people.

Yesterday at the airport you stressed the need for cooperation between Brazil and the United States as equal partners. Who has changed, Brazil or you?

A: There has not ever been any inclination on my part or the part of my administration to underestimate the extreme importance of Brazil as a major world power, nor to underestimate the extreme importance of very close and harmonious relationships between the United States and Brazil.

There are some differences of opinion between ourselves and Brazil which have been very highly publicized. But on the long scale of things, both in the past history and in the future, the major factors which bind us in harmony with Brazil far transcend, are much more important than the differences that have been published between our approach to human rights, for instance, and the subject of nonproliferation of nuclear weapons.

Q: What comes in the first place for you: the private enterprise and the private system or the human rights policy?

A: Well, they're both important to us. And I don't see any incompatibility between a belief in a free enterprise system, where government does not dominate the banks or the production of agricultural products or commercial products on the one hand, and a deep and consistent and permanent and strong belief in enhancing human rights around the world".²⁸⁹

After one year in office, then, the public opinion was probably wondering what the real order of priorities of the U.S. administration was. Was the human rights idealism giving in to the logic of economic and political interests? Once again, the risk of inconsistency and incoherence was high. Indeed, the U.S. administration wanted the commercial and financial issues to be clearly detached from the human rights policy. Carter himself considered unconceivable any act of the Congress that would try to restrict the lending of money by American private banks to Brazil under any circumstances.

In the early afternoon of March 30, 1978 Jimmy Carter and the whole U.S. delegation went to Rio de Janeiro "for a

²⁸⁹ Carter, Jimmy *The President's News Conference of March 30, 1978 – Brasília*, PPPUS, available online at: <http://www.presidency.ucsb.edu/ws/index.php?pid=30594&st=&st1=>.

day and night of recreation”²⁹⁰. Actually, while in Rio in the morning of March 31, “President Carter met Cardinal Paulo Evaristo Arns, who since 1975 established a ‘truly organized human rights movement in Brazil’ after sympathizing for several years for torture victims during the years of the military regime”.²⁹¹ But President Carter met also other five people that morning, each of them representing a rather broad spectrum and a number of facets of the Brazilian society. What mattered most was that they were all opponents to the military regime and their names were: Cardinal Arns of Sao Paulo, Cardinal Sales of Rio de Janeiro, both tireless opponents to the use of torture by the military, Mr. Faoro, President of the Brazilian Bar Association, Mr. Mesquita Neto, publisher of the *Estado de São Paulo* and known as a ‘champion of press freedom’, Mr. Vianna, head of the national bank for the economic development, and Mr. Mindlin, a businessman who resigned from the Sao Paulo government in protest against the death in police custody of a newspaperman.²⁹²

Asked about the purpose of the meeting, Carter replied:

“I don't have any agenda prepared for my visit with Cardinal Arns and the others. In a diverse society like you have here in Brazil, it's important for me to visit with different persons who represent different views. [...] I want to meet with as many other people as I can. I have,

²⁹⁰ Carter, Jimmy *White House Diary*, Farrar, Straus and Giroux, New York, 2010, p.181.

²⁹¹ Moyn, Samuel *cit.*, p.144.

²⁹² *Carter Meets Brazilians*, The Dispatch – Lexington, NC, March 31, 1978.

by the way, met and talked to Cardinal Arns previously in the United States. [...] And as a leader of a nation, I reserve the right to meet with whom I please. And I think this is a constructive thing, which will give me a much better overall understanding of what exists in Brazil. And I think the right of people to speak to me as a foreign visitor is one that's important to Brazil to preserve and to cherish. And I am thankful that I have that right when I visit your country".²⁹³

Actually there isn't any record of the meeting available and, therefore, there is no precise knowledge of the content of the discussion. What is very well known and that immediately aroused the public attention was Carter's decision to invite Cardinal Arns to have a private conversation, on the way to the airport before going to Lagos. Writing in his diary about the private meeting with Cardinal Arns, Carter reported:

"He's extremely courageous. Because of him the newspapers in São Paulo are under tight constraints, which is rare now in Brazil. Some of his students have been arrested. He said the political prisoners in Brazil have dropped about 90 percent, to around two or three hundred, but there are still ten thousand political exiles who have been forced out of Brazil. He published a book the day before I arrived in Brasilia on human rights. [...] My guess is that our paying attention to him will not help with Geisel, but I think it's important in Brazil and

²⁹³ Carter, Jimmy *The President's News Conference of March 30, 1978 – Brasília*, PPPUS, available online at: <http://www.presidency.ucsb.edu/ws/index.php?pid=30594&st=&st1=>.

worldwide for me not to back down on this subject that arouses intense interest in other countries".²⁹⁴

Jimmy Carter had already had the chance to exchange his views with Cardinal Arns in the past: they first met at the University of Notre Dame in May 1977, when they both received honorary degrees and President Carter made the first key speech on his administration's foreign policy. Furthermore, in October 1977 Arns wrote to Carter to sensitize him about the issue of disappeared political prisoners in Brazil and, enclosed to the letter, there was a list naming 23 Brazilians who had disappeared after being arrested by police and security forces.²⁹⁵

All in all, the importance of Carter's act was in its symbolic meaning: the U.S. President sympathized with one of the strongest and most charismatic leader of the opposition to the military regime, who was a strong defender of the human rights cause as well.

Interviewed by Larry Rother of the Washington Post, an opponent to the regime said:

"Many of us have been wondering whether Carter still cares about human rights, and there is no better way for him to show human rights still matter than to meet with the man the Brazilian people recognize as our leader in

²⁹⁴ Carter, Jimmy *White House Diary*, cit., p.182.

²⁹⁵ *Letter from Cardinal Evaristo Arns to President Jimmy Carter*, White House Central Files, Subject File Countries, Box CO13, JCL.

this field".²⁹⁶

Jimmy Carter decided to depart from Rio de Janeiro in the afternoon of March 31 leaving the tacit message that human rights, freedom of speech, and a democratic political system were of primary importance to him. Jimmy Carter had just put into practice what he had declared the day before in Brasilia:

"We believe this is an international problem, that the focusing of world attention and world pressure on us and other countries is a very beneficial factor, that high publicity should be given to any proven violation of human rights. It's a commitment that our nation has that I want not to abandon but to enhance and strengthen".²⁹⁷

It was true that the tones between Washington and Brasilia definitely calmed down, but human rights had not disappeared from the agenda: human rights were an issue to deal with openly and frankly. The difference of opinion between the two governments on how the human rights issue had to be addressed and what actions could be taken to correct any defects that existed still persisted. What had really changed was the fact of talking about the issue.

²⁹⁶ Rother, Larry *Brazil's Cardinal of the People*, March 30, 1978, The Washington Post.

²⁹⁷ Carter, Jimmy *The President's News Conference of March 30, 1978 – Brasilia*, PPPUS, available online at:
<http://www.presidency.ucsb.edu/ws/index.php?pid=30594&st=&st1=>.

As Carter said:

"One of the best things about the development on human rights in the last year or so has been the worldwide attention to it. It was kind of a dormant issue for too long, and now I doubt that there's a world leader who exists that doesn't constantly feel the pressure of considering the human rights questions-to analyze one's own administration, one's own country, what the rest of the world thinks about us, and how we could correct any defects and prevent allegations in the future, either true or false".²⁹⁸

²⁹⁸ Idem.

5.3 The aftermath of President Carter's visit.

A few days after Carter left Brazil, the American embassy in Brasilia reported that the President had managed to restore a tone of cordiality and cooperativeness to U.S.-Brazil relations. According to the diplomatic corps "the major achievement of the visit was a considerable improvement in the atmosphere of [bilateral] relations flowing from the establishment of an amicable and useful relationship between the two presidents".²⁹⁹ There was an optimistic attitude toward the future developments as well: if the non-confrontational tone set by Carter persisted, the new relationship he had been able to establish with Ernesto Geisel would permit a continuing personal dialogue on issues of mutual interests and would certainly facilitate efforts to seek maximum areas of convergence. The American analysts were aware of the probability that Geisel would continue to remain on his guard, as well as he did generally during the visit on matters of substance, such as nuclear power, human rights and trade issues.³⁰⁰

Also a CIA National Intelligence Cable distributed in April 1978 expressed positive remarks on Carter's visit to Brazil and emphasized the positive comments of the Brazilian media:

²⁹⁹ Telegram from AmEmbassy Brasilia to SecState Washington DC *Presidential Visit – Improvement in Government-to-Government relations*, April 20, 1978, Secret, Records of Deputy Secretary Warren Christopher, NARA.

³⁰⁰ Idem.

“Reaction in Brazil to President Carter’s recent visit has been largely favorable. Officials appreciated the President’s tact in addressing sensitive topics, and the Brazilian public appears pleased by his acknowledgment of their country’s growing world importance. Although Brazilians do not believe that differences with the U.S. are less serious or complicated than before, they may well think the visit will promote a more constructive dialogue in the future. [...]

The Brazilian press highlighted the President’s friendly manner and his statements that Brazil is a major actor in world affairs as setting the tone for the visit and putting apprehensive Brazilian officials at ease. The press also expressed admiration that the President, albeit in a low-key way, made clear his intention to stick to his human rights and non-proliferation positions”.³⁰¹

Even the most critical Brazilian officials of U.S. policies on human rights and non-proliferation had been probably convinced of the sincerity of Carter’s views and his determination to continue a dialogue on such topics.

Jimmy Carter’s behavior had received the support and the endorsement not only of the press, the public opinion, and the military leadership but also of some important opponents to the military regime. On April 26, 1978 the NSC expert on Latin American, Bob Pastor, had a dinner conversation with Leonel Brizola, former Governor of the State of Rio Grande do Sul and leading exile politician.³⁰²

³⁰¹ National Intelligence Daily Cable *Brazil: After the President’s Visit*, April 10, 1978, Top Secret, CIA Records Research Tool (Hereinafter CREST).

³⁰² Brother in law of the last left-wing Brazilian President João Goulart, after the coup d’état that established the military regime in March 1964 Leonel

Brizola praised the way Jimmy Carter acted during his stay in Brazil and said he had done a “masterful job”. In a memorandum written to summarize the conversation held with Brizola, Bob Pastor said:

“To him, the most significant events of the trip in Brazil were clearly the President’s decision to ask Arns to accompany him to the airport (a decision which he thought reflected the President’s desire to leave Brazil after an extremely balanced trip, with a slight emphasis on human rights, as opposed to just better relations with the Brazilian government) and the President’s statement before the Brazilian Congress”.³⁰³

The undeniable success of the presidential visit, however, did not entail at all a change of the Brazilian position in the international scenario: Brazil, indeed, would continue to actively seek an expansion of its ties and influence outside the hemisphere, “into Western Europe, Africa and the Middle East”, regions where “commercial ties as well as diversified political relations” could be

Brizola was forced to live in exile in Uruguay first and then in the United States, where he obtained asylum since late 1977. During the years of the military regime, Leonel Brizola was a political exile, could not receive his passport and was refused the right to go back to Brazil until President Figueiredo promulgated the *Lei da Anistia* (Amnesty Law) on August 28, 1979. After the general amnesty, Brizola could go back to Brazil where he immediately started again his political activity and founded the Democratic Labour Party (*Partido Democrático Trabalhista*, PDT).

³⁰³ Memorandum from Pastor to Brzezinski *Dinner Conversation with Lionel Brizola Wednesday April 26, 1978*, April 28, 1978, Unclassified, Remote Archives Capture Program (Hereinafter RAC), JCL.

successfully established.³⁰⁴ Indeed in Washington it was well known that, as Silveira used to say,

“Brazil ha[d] neither permanent friends nor permanent enemies, only permanent interests”.³⁰⁵

Besides seeking new markets and expanding existing ones for Brazilian exports, the Brazilian leadership was determined to achieve and demonstrate its independence from the United States in foreign affairs. Actually, “this [was] not a new attitude, although resentment of U.S. human rights and non-proliferation policies ha[d] recently heightened Brazilian sensitivities and evoked dramatic reactions”.³⁰⁶ Of course it was very well known that the regime was particularly concerned over the U.S. position on human rights but, first and foremost, over the effects that tackling such a topic could have on the Brazilian public opinion. A 1978 CIA report stated:

“This truculence masks a very real fear that the United States, deliberately or not, will encourage civilian dissent and quicken the pace of demands for basic

³⁰⁴ Briefing Memorandum from Lake to the Secretary *Brazilian Planning Talks November 8-9, 1978*, November 21, 1978, Confidential, Subject File of Edmund S. Muskie 1963-1981, NARA.

³⁰⁵ Telegram from AmEmbassy Brasilia to SecState Washington DC *Presidential Visit – Improvement in Government-to-Government relations*, April 20, 1978, Secret, Records of Deputy Secretary Warren Christopher, NARA.

³⁰⁶ Central Intelligence Agency – National Foreign Assessment Center *How Brazil Views the World*, March 1978, Secret, RAC, JCL.

changes”.³⁰⁷

Likely, the harsh reactions to the U.S. intrusion into Brazilian internal affairs could be also due to the fear of the possible reactions of the opposition forces and grassroots movements.

The Brazilian estrangement from the United States was part of a wider re-definition of the Brazilian foreign policy in the Seventies. The desire to ‘go it alone’ was certainly a prevailing sentiment in the Brazilian leadership. Spektor highlights that, on the one hand, Brazil thought of itself as if it “could not surrender sovereignty because, being relatively weak and traditionally dependent on the major powers, it was still trying to reassert it”.³⁰⁸ On the other hand, Brasilia perceived American pressures on nuclear issues and internationalization of human rights norms as a form of “neo-colonial intervention”.³⁰⁹ Did Geisel (and *chanceler* Silveira) seriously think that the United States was committed to contain Brazil and keep it a third-rate country? Or rather, the decision to emphasize the Carter administration’s pressures to contain Brazil’s diplomatic expansion was a way to maintain support at home. As professor Roett³¹⁰, eminent expert on Latin American studies, states, Brazil was reshaping its role in world affairs and “a movement away from –but not against– the United

³⁰⁷ Idem.

³⁰⁸ Spektor, Matias *cit.*, p.259.

³⁰⁹ Idem.

³¹⁰ <http://legacy2.sais-jhu.edu/faculty/directory/bios/r/roett.htm>

States” was inevitable and “required new intellectual tools and/or principles with which to guide Brazil’s international behavior”.³¹¹ The estrangement from the United States was blatantly showed through the decision not to sign the Tlatelolco Treaty³¹² and the Treaty on Non-Proliferation of Nuclear Weapons, respectively in 1967 and 1968. According to this interpretation of the Brazilian diplomatic strategy, the gradual approximation between Brasilia and Third World countries was also inevitable: first the Brazilian diplomacy worked to close ties with newly independent African countries (the recognition of the Marxist government of Angola in 1975 for example), and then with Latin American and Asian countries.

Since the late Sixties, two things were simultaneously happening: not only middle-range powers, like Brazil, were trying to redefine their own roles and ties but also the U.S. international influence was experiencing a decline. “New options were available, both politically as well as economically/financially. A revitalized Western Europe, and a set of emerging Third World actors, offered new opportunities”.³¹³ This interpretation is also shared by David Skidmore³¹⁴, who holds that Carter’s foreign policy

³¹¹ Idem, p.3.

³¹² The Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean was signed on February 14, 1967 in the Tlatelolco district of Mexico City, and therefore it is commonly known as Treaty of Tlatelolco. The treaty entered into force on April 25, 1969. See <http://www.opanal.org/opanal/Tlatelolco/P-Tlatelolco-i.htm>.

³¹³ Roett, Riordan *Brazil and the United States Beyond the Debt Crisis*, Journal of Interamerican Studies and World Affairs, vol.27 n.1 (Feb. 1985), pp. 1-15.

³¹⁴ <http://artsci.drake.edu/polsci/node/14>

(generally depicted as expression of the Presidential personal moralism) enacted, instead, a “pragmatic strategy of adjustment [precisely] to declining U.S. global power”.³¹⁵ Those were years of ongoing changes in the international structure of power: new actors were emerging on the international scenario, the developing countries were increasingly affirming their position, and the North-South approach was strenuously opposing the East-West *détente*. The time had come for the United States to adapt its policies and adjust to this new global structure. Carter’s initial policies might have appeared incoherent and inconsistent as a result of its “failure to develop a central world view”³¹⁶, and the President’s personal inexperience together with the contrasts between Vance’s and Brzezinski’s views on strategic priorities didn’t help. Most of the literature agrees on the fact that Carter’s foreign policy changed over time, “although disagreement exist over the degree and nature of this shift”.³¹⁷ According to David Skidmore, “those who affirm that the administration lacked a coherent world view fail to distinguish between coherence and complexity”.³¹⁸ Carter and his staff were perfectly aware that the world order was becoming too complex to fit into the bipolar logic and interdependence was gradually replacing superpowers’ hegemony. The spirit of *détente* did not mean only a relaxation of the

³¹⁵ Skidmore, David *Carter and the Failure of Foreign Policy Reform*, Political Science Quarterly, vol.108 n.4 (Winter, 1993-1994), pp. 699-729.

³¹⁶ Skidmore, David *cit.*, p.701.

³¹⁷ *Idem.*

³¹⁸ *Idem.*

competition between the U.S. and the USSR, but implied a wider, choral view of the international scenario. "The diffusion of international power and the growth of interdependence both created the need for a more subtle and differentiated approach to U.S. foreign policy".³¹⁹ The decision of the Carter administration to deal with this complexity with a case-by-case approach rather than a rigid paradigm has often been interpreted as an example of confusion and incoherence. The personal lack of leadership skills can explain why Carter didn't manage to make clear the direction he was giving to his policy change and to obtain the necessary domestic support.

Even if it is true that the Carter administration used an "idealistic wrap"³²⁰ to make more appealing a pragmatic foreign policy, David Skidmore notes that Carter's idealism is probably overemphasized.

The primary aim of the 1970s foreign policies was "adjusting [U.S. foreign policy] to account for declining American power"³²¹ and "addressing what Samuel Huntington has called the Lippmann Gap"³²², that is to say

³¹⁹ Idem.

³²⁰ Skidmore, David *cit.*, p. 702.

³²¹ Skidmore, David *cit.*, p. 703.

³²² In 1987, Samuel Huntington wrote his article entitled "Coping with the Lippmann Gap" where he analyzed the U.S. foreign policy of the last two decades (1960s and 1970s) with respect to the balance between a nation's power and commitments, that the author defined "Lippmann Gap". Indeed, Walter Lippmann in 1943 had written: "Foreign policy consists in bringing into balance, with a comfortable surplus of power in reserve, the nation's commitments and the nation's power". Only if this balance existed, the foreign policy would get domestic support and "for almost a quarter-century

the imbalance between (decreasing) capabilities and (constant) commitments. "Rival states gradually narrowed the enormous military and economic lead enjoyed by the U.S. in the early post-WWII era"³²³ and the 1970s can therefore be considered as years of American relative decline: was it possible to reverse or at least to narrow the Lippmann gap? If so, how? Skidmore states that it could be done "either reducing commitments or finding less costly and risky ways" of managing them.³²⁴ The presidencies of the 1970s had to implement a policy of adjustment of U.S.

after WWII, this combination provided what Lippmann would call a 'comfortable surplus of power' abroad and a general consensus on policy at home" (p.454). Things started to change by the end of the 1960s when U.S. commitments abroad became higher than its power, and the U.S. found itself in a situation of power insolvency, to use Lippmann's terminology. American responses to its Lippmann gap problem consisted mostly in a redefinition of U.S. interests and a reduction of commitments to a level equal to the existing capabilities, and then in reducing the threats to its interests through diplomacy and enhancing the contribution of allies. Huntington explains that the responses to the Lippmann gap problem given by the Carter administration were largely diplomatic, heavily focused on reducing threats to U.S. interests and on increasing the role of allied powers in protecting American interests (pp.456-457). More specifically, the Carter administration put emphasis on the importance of regional influential (this for example explains the opening to China), tendency that however, Huntington notes, ran counter to the administration's concerns with human rights and nuclear proliferation (p.458). The Carter administration ended in an atmosphere of *malaise*, and probably for this reason the Reagan administration greatly accelerated the defense buildup modestly initiated in the previous administration (p.459) and opted for military and strategic responses (rather than purely diplomatic) to the Lippmann gap problem. Huntington, Samuel *Coping with the Lippmann Gap*, Foreign Affairs, vol.66 n.3 America and the World 1987/1988, pp.453-477.

³²³ Skidmore, David *cit.*, p.704.

³²⁴ Idem.

interests. Kenneth Oye³²⁵ argues that Carter, as Nixon and Ford before him, narrowed the definition of American interests and shifted some of the burdens of containment to China, Western Europe and the Third World: this interpretation shows that it was the U.S. itself to make the number of international actors grow and that it was part of the American strategy to make the power gradually and widely shared. But once the leadership is shared, a reduction of commitment follows; and in the U.S. case, there was a reduction of commitment in the peripheral areas³²⁶, a shift of the burdens to friends and allies, and an accommodation with rivals. According to David Skidmore, the cut of U.S. arms sales and of military aid abroad was one of the major points of the strategy aiming at reducing commitments.

Hence, some reflections are in order: was the human rights policy then strictly connected to the policy responses to U.S. declining power? Was the human rights policy all but idealistic? Looking at Carter's foreign policy through the prism of the 'adjustment strategy', the human rights rhetoric appears the idealistic envelope of very pragmatic objectives to achieve. The human rights issue can be interpreted as a very useful tool to gain internal support for external policy actions deeply different from past policies. What does this mean exactly? During the presidential campaign in 1976, Carter had the opportunity to see that human rights were capable of unifying the different

³²⁵ Skidmore, David *cit.*, p.704.

³²⁶ Skidmore, David *cit.*, p.705.

factions of the Democratic party, a topic through which any ideological opposition could be overcome and that raised wide consensus. Human rights actually resulted to be an appealing theme also in the wider public opinion. At the beginning of Carter's term, it was a new political discourse that proved how the Cold War bipolar logic was definitely old-fashioned and inappropriate in the new world order. On the other hand, it was a political discourse that still showed that the United States was willing (and able) to play a leading global role, also in a more complex international scenario where bipolarism appeared obsolete, using the tools of principles and negotiation rather than arms and military strength.

David Skidmore shares the same opinion:

"Carter's moralistic embrace of human rights was motivated not only by his own intense moral convictions but also by the belief that these sorts of appeals would bolster his own political fortunes and win support for his foreign policy reforms. An overemphasis on the Carter administration's idealism is, therefore, misplaced. It is equally misleading to suggest that Carter ignored the role of power in world politics. Carter believed that American power was not as predominant as it once had been and that the relative efficacy of various instruments of power had shifted over time. Economic power, for instance, was considered relatively more effective while military power had declined in utility. These changes required a greater appreciation for the limits of American power and a rethinking of some of the means by which

influence could best be wielded.³²⁷

This was the program, but did Carter manage to institutionalize reform and adjustment in U.S. foreign policy? Not really, because he “began to retreat from his reformist aspirations as early as 1978; by 1980, his foreign policy was geared more toward resisting the implications of decline than adjusting to them”.³²⁸ But how can we explain Carter’s inability to complete his policy change? Probably, the explanation lies in the search for U.S. public opinion’s approval and it appeared to be too hazardous to implement policies that were not receiving the domestic support the administration hoped for. The decision to abandon the adjustment strategy was definitely due to increasing concern about domestic legitimacy: “The process by which policies were sold at home, in other words, influenced the substance of the policies themselves”³²⁹ and foreign policy became more responsive to domestic legitimation rather than to international change. No surprise, then, if divergence and incoherence emerged within the administration: behaving in this way, Jimmy Carter didn’t manage to deal with the “Lippmann Gap” and, to use Huntington’s words, “if commitments exceed

³²⁷ Skidmore, David *Reversing Course – Carter’s Foreign Policy, Domestic Policy, and the Failure of Reform*, Vanderbilt University Press, Nashville, 1996, p.30.

³²⁸ Skidmore, David *cit.*, p.706.

³²⁹ Skidmore, David *cit.*, p.710.

power insolvency results which generates deep political dissension".³³⁰

Another possible explanation of the failure of the change in foreign policy attitude might be found in the fact that at the beginning of his term "Jimmy Carter was much more concerned with doing what he believed to be right than with what might be best for him politically".³³¹ Was there the idea (or hope) that the two things might overlap in a near future? How likely was that the 'right thing' was also the best political choice? The administration was inspired by principles of justice and fairness also in international relations, and that meant to leave behind all the disappointment that the Vietnam war and the Watergate scandal caused and offer (to both the public opinion and the Congress) a new foreign policy. The new approach consisted also in considering bipolarism outdated: "No longer would an 'inordinate fear of communism' drive the United States to 'embrace any dictator who joined us in that fear'".³³² Human rights were chosen to be the new cornerstone of a new American foreign policy discourse. What are the possible explanation to the failure in achieving the goal of domestic legitimation? Were the inspiring principles too weak? Or rather, may incoherence be the answer? The rhetoric of the human rights policy wasn't targeted to all foreign countries

³³⁰ Huntington, Samuel *cit.*, p.453.

³³¹ Slavicek, Louise Chipley *Great American Presidents – Jimmy Carter*, Chelsea House Publishers, Philadelphia, 2004, pp.57-58.

³³² Slavicek, Louise Chipley *cit.* pp.59-60.

indiscriminately, there were glaring exceptions: just to cite a couple, let's recall that for strategic reasons Jimmy Carter never contested nor even sanctioned the violations of basic human rights in Iran or in the People's Republic of China. One of the major critiques moved to the Carter administration was exactly the selective choice of the target-countries of the human rights diplomacy, which rendered this policy less persuasive and rather inconsistent.

Whatever the interpretation, the evidence is that during the third year of the mandate, 1979, there was a dramatic shift in the foreign policy orientation or, to be more precise, the administration backpedaled towards an orthodox Cold War mentality. Sure this did not happen accidentally: the two international crises provoked by the Iranian revolution and the Soviet invasion of Afghanistan underlined the necessity of a "wrenching shift in tone and policy"³³³ and strongly brought Cold War back on the international scene. Despite the initial hope about how convincing the human rights policy could be, at midterm the Carter administration had abandoned any adjustment strategy, détente was gone and containment was back.³³⁴ Why were all the new reforms abandoned? Skidmore states that this was because of the lack of "domestic legitimacy of his new policies in competition with the institutional and intellectual legacies" of the past.³³⁵

Carter's liberal internationalist attitude, with its

³³³ Skidmore, David *cit.*, p.27.

³³⁴ Skidmore, David *cit.*, p.70.

³³⁵ *Idem.*

Wilsonian inspiration, bumped into the wall of changing times. The administration had to deal with international difficulties that kept pace with serious domestic troubles, public discontent and worries about the U.S. internal situation. Several months before the Iran hostage crisis and the Soviet invasion of Afghanistan, the abrupt arising of the second oil shock destabilized the U.S. economy, already severely strained by high inflation and unemployment. The nation was tired, dismayed and bewildered even before that the U.S. stance in the international scenario started to appear weakened. And the President's words were neither reassuring nor encouraging. In October 1978, Jimmy Carter delivered a speech to the nation about his administration's anti-inflation program.³³⁶ In this speech the President appeared concerned and unclear about what the best solution for the country could be. Moreover, the President offered of himself the image of an admittedly unsuccessful leader.

"I want to have a frank talk with you tonight about our most serious domestic problem. That problem is inflation. Inflation can threaten all the economic gains we've made [...] This has been a long-time threat. For the last 10 years, the annual inflation rate in the United States has averaged 6 and half percent. And during the 3 years before my Inauguration, it had increased to an average of 8 percent. Inflation has, therefore, been a serious problem

³³⁶ Carter, Jimmy *Anti-Inflation Program Address to the Nation*, October 24, 1978, PPUS, available online at: <http://www.presidency.ucsb.edu/ws/index.php?pid=30040&st=&st1=>.

for me ever since I became President. We've tried to control it, but we have not been successful."³³⁷

It was true that the administration had not been able yet to overcome the inflation issue, but several measures had already been adopted and the first results were good. Government spending was one of the causes of inflation, and therefore Government had to take the lead in fiscal restraint. Jimmy Carter was very well aware that American people were sick and tired of wasteful Federal spending and the inflation it brought with it.

After one year and a half, the administration had already had some success: they had brought the deficit down by one-third since 1977—from more than \$66 billion in fiscal year 1976 to about \$40 billion in fiscal year 1979—, which meant a reduction of more than \$25 billion in the Federal deficit in just 3 years.

It was a frank speech in which the President was asking the nation to cooperate and make a common effort to improve the economic situation, and to share responsibilities, everyone had to do his own part to deal with the declining economy. However, telling the harsh truth in such a sincere way was risky: the administration looked too ineffective and the President seemed not to offer a solution, rather to put a burden on the nation's shoulders.

A few months later, in mid-July 1979, Jimmy Carter tackled once again a deep discontent that rapidly spread throughout the entire nation. When he delivered the

³³⁷ Idem.

“malaise speech” on July 15, 1979 Americans were suffering from a general “crisis of confidence”. Patrick Caddell, Carter’s pollster, suggested to address this fundamental problem, inspire the country to overcome it, and try to turn the presidency around. The country was in the midst of the second oil shock, with gasoline prices skyrocketing and the resulting oil shortages, anxiety was the prevailing feeling among the population. Carter’s approval rating had dropped dramatically within a few weeks’ time: from the 41% approval rating in mid-April 1979³³⁸, on June 10, 1979 the New York Times reported that the public approval rating had fallen to 30%, the lowest level since Carter took office.³³⁹ Most people blamed the President for the poor state of the economy and only 28% believed Carter could restore trust in government, a key campaign pledge in 1976.³⁴⁰

The President perfectly perceived the mood of his people and understood that what people were asking for was a leader of the nation, not just a manager of the Government.³⁴¹ The nation required a President able to see his people’s needs again, a President with a clear will to lead his country out of both the economic and spiritual

³³⁸ Section 2, Page 9, Column 6 The New York Times, April 16, 1979.

³³⁹ Clymer, Adam Page 1, Column 3 *The New York Times*, June 10, 1979.

³⁴⁰ Idem.

³⁴¹ Carter, Jimmy *Address to the Nation on Energy and National Goals: “The Malaise Speech”*, July 15, 1978, PPPUS, available online at: <http://www.presidency.ucsb.edu/ws/index.php?pid=32596&st=&st1=>.

crises that it was experiencing. It was first of all a crisis of confidence:

“We were sure that ours was a nation of the ballot, not the bullet, until the murders of John Kennedy and Robert Kennedy and Martin Luther King, Jr. We were taught that our armies were always invincible and our causes were always just, only to suffer the agony of Vietnam. We respected the Presidency as a place of honor until the shock of Watergate. We remember when the phrase “sound as a dollar” was an expression of absolute dependability, until 10 years of inflation began to shrink our dollar and our savings. We believed that our Nation’s resources were limitless until 1973, when we had to face a growing dependence on foreign oil”.³⁴²

But Jimmy Carter didn’t want to emphasize just the difficulties that the Americans had been forced to face in the last two decades, on the contrary he meant to point out how strong and inventive they were:

“We ourselves are the same Americans who just 10 years ago put a man on the Moon. We are the generation that dedicated our society to the pursuit of human rights and equality. And we are the generation that will win the war on the energy problem and in that process rebuild the unity and confidence of America”.³⁴³

And the President tried to give a boost to the

³⁴² Idem.

³⁴³ Idem.

Americans, recalling the many resources (both natural and spiritual) the country had, and said:

“The solution of our energy crisis can also help us to conquer the crisis of the spirit in our country. [...] You know we can do it. We have the natural resources. We have more oil in our shale alone than several Saudi Arabia. We have more coal than any nation on Earth. We have the world's highest level of technology. We have the most skilled work force, with innovative genius, and I firmly believe that we have the national will to win this war. I do not promise you that this struggle for freedom will be easy. I do not promise a quick way out of our Nation's problems, when the truth is that the only way out is an all-out effort. What I do promise you is that I will lead our fight, and I will enforce fairness in our struggle, and I will ensure honesty. And above all, I will act”.³⁴⁴

Jimmy Carter promised action and people appreciated that. Still, a Gallup Poll published on the August 12, 1979 New York Times found that 80% of those surveyed viewed President Carter as 'man of high moral principles,' 72% expressed trust in him personally, but only 27% felt he had 'strong leadership qualities' and 20% said he had done an excellent or good job.³⁴⁵ Perhaps the astonishing frankness was appreciated, but the speech had a boomerang effect because it didn't manage to gather the expected consensus. The speech wasn't hailed enthusiastically even by the

³⁴⁴ Idem.

³⁴⁵ *Page 25, Column 1 "The New York Times", August 12, 1979.*

press, and the weekly news magazine Newsweek defined it a “sermonette to the nation”.³⁴⁶ Hence, not everyone agreed on Caddell’s opinion that Americans were “trading their longstanding faith in progress, democracy and hard work for pessimism, privatism and self-indulgence.”³⁴⁷

Sure, it is worth to reflect on how effective the impact of public opinion is on the conduct of foreign policy. Political scientist and international relations’ theorist Ole Holsti recalls that after WWII the relationship between public opinion and foreign policy could be summarized by three propositions: first, public opinion is highly volatile and therefore represents a dubious foundation for a sound foreign policy; second, public opinion lacks structure and coherence; and third, public opinion has limited impact on foreign policy.³⁴⁸ Holsti referred above all to Almond’s concept of the ‘instability of mass moods’, that is to say the sudden shifts of interest and preferences. Still, Holsti recalls, during the years of the Vietnam War that there was a radical change of this attitude. In fact, according to research projects and studies conducted in the 1980s³⁴⁹,

³⁴⁶ Morgenthau, Tom Doyle, James *The Mood of a Nation*, Newsweek, August 6, 1979.

³⁴⁷ Idem.

³⁴⁸ Holsti, Ole R. *Public Opinion and Foreign Policy: Challenges to the Almond-Lippmann Consensus* *Mershon Series: Research Programs and Debates*, International Studies Quarterly, vol.36 n.4, December 1992, pp.439-466, quotation at p.442.

³⁴⁹ See for example: Conover, P.J. Feldman, S. *How People Organize the Political World: A Schematic Model*, American Journal of Political Science, n.28, 1984, pp.95-126; Kinder, D.R. *Diversity and Complexity in American Public Opinion*, Political Science: The State of the Discipline, edited by A.W.

public opinion is less volatile than commonly thought, public attitudes don't lack structure and coherence and are therefore not that impotent. Referring to a study by Page and Shapiro, Holsti affirms that "mass opinion in the aggregate is in fact characterized by a good deal of stability, and this is no less true of foreign policy than on domestic issues"³⁵⁰; moreover, a considerable convergence of findings can be observed on two points relating to belief structures: first, even if poorly informed, general public's attitudes about foreign affairs "are in fact structured in at least moderately coherent ways"; second, "a single isolationist-to-internationalist dimension inadequately describes the main dimensions of public opinion on international affairs".³⁵¹ People organize their political world in richer and more diverse ways than indicated by the post-WWII scholarship, as Conover and Feldman stated in 1984³⁵², and Holsti adds that, even in the absence of much factual knowledge, mass public "employ superordinate beliefs to guide their thinking on a broad

Finifter, American Political Science Association, Washington DC, 1983; Kinder, D.R. Sears, D.O. *Public Opinion and Political Action*, Handbook of Social Psychology, edited by E. Aronson and G. Lindzey, Random House, New York, 1985; Powlick, P.J. *The Attitudinal Bases for Responsiveness to Public Opinion among Foreign Policy Officials*, Journal of Conflict Resolution, n.35, 1991, pp.611-641; Shapiro, R.Y. Page, B.I. *Foreign Policy and the Rational Public*, Journal of Conflict Resolution, n.32, 1988, pp.211-247; Sniderman, P.M. Tetlock, P.E. *Inter-relationship of Political Ideology and Public Opinion*, Political Psychology, edited by M.G. Hermann, Jossey-Bass, San Francisco, 1986.

³⁵⁰ Holsti, Ole R. *cit.*, p.446.

³⁵¹ Holsti, Ole R. *cit.*, p.448.

³⁵² See footnote above.

range of issues".³⁵³ Despite the fact that it is possible to affirm that public opinion is more structured than it was believed in the past, it is not an easy issue to state clearly what the opinion-policy relation is. As Powlick showed in the post-Vietnam War period bureaucrats have started to be more "sanguine about the public than were [those] two decades earlier", and they were therefore "more inclined to accept the legitimacy of a public contribution to the policy process".³⁵⁴

The Carter administration definitely seemed to confirm this general trend described by the literature: Patrick Caddell constantly evaluated what the public mood was and suggested to President Carter the political directions to follow consequently. But this was not enough to obtain the public support necessary for Jimmy Carter to be re-elected and remain in the White House for four more years.

³⁵³ Holsti, Ole R. *cit.*, p.450.

³⁵⁴ Holsti, Ole R. *cit.*, p.455.

5.4 The remainder of 1978.

The presidential trip in March 1978 proved how strategically significant Latin America was for the U.S. At the beginning of 1978 the Director of Policy Planning, Anthony Lake, had prepared a document on the six Latin American countries deserving a special U.S. attention over that year.³⁵⁵ Considering the extent of U.S. interests, the pace of change and the country's regional weight, Brazil had been listed as a country to give top priority in 1978. The core issues of the U.S. foreign policy toward Brazil in 1977, human rights, non-proliferation and international economic issues, remained fundamental and Washington was waiting to understand General Figueiredo's (Geisel's chosen successor) stance on the issues. According to the document, "Geisel's choice, and therefore the almost certain winner, General Figueiredo, [was] a relative unknown".³⁵⁶ The United States intended to encourage the moderates in the military in order to guarantee a continuation of the liberalizing path begun by Geisel and the reassertion of democratic traditions. Only in this way, Brazil could "rise to greatness, and entry into the 'club' of industrial nations. A democratic Brazil could be a counterweight to the hardline Southern Cone regimes, at a time when [the U.S.] leverage in the region appear[ed] to be

³⁵⁵ Memorandum from Lake to the Secretary *Country Priorities in Latin America*, February 26, 1978, Secret/Limdis, Records of Anthony Lake 1977-1981, NARA.

³⁵⁶ Idem.

on the decline”.³⁵⁷ It is possible to affirm, then, that starting from 1978 the American attitude toward Brazil significantly changed: as soon as human rights violations decreased, Washington started to deal with democracy promotion.³⁵⁸

The Carter administration evaluated in a very positive way the goals achieved in its policy toward Latin America after the first year in office. “By placing concern for humane values at the center of both multilateral and bilateral agendas, the U.S. has regained a positive, forward-looking image in the hemisphere”.³⁵⁹ The fundamental inspiring principles of the administration through 1977 and the beginning of 1978 had been three: first, a restoration of the moral content of U.S. leadership; second, non-intervention in countries’ internal affairs; third, willingness to live with governments of different political predispositions. Since Jimmy Carter’s election, his administration had tried to give a different look to the foreign policy toward Latin America. The major goals were two: a genuine reduction of paternalism (and the dependence that inevitably followed); and the recognition of the tremendous diversity among the nations of the hemisphere, reason for which the relations had to be fashioned taking into account each country’s specific concerns. The idea of looking for simple, uniform solutions

³⁵⁷ Idem.

³⁵⁸ This was also the opinion expressed by Robert Pastor during an interview held on April 11, 2011 in Washington DC.

³⁵⁹ Memorandum from Feinberg to all S/P members *Paper on U.S. Policy Goals and Achievements in Latin America*, June 15, 1978, Unclassified, Records of Anthony Lake 1977-1981, NARA.

to hemispheric problems was outdated. Furthermore, the projection of Latin American nations onto the world stage as independent actors was welcomed. The growing international role of many Latin nations made it imperative that the economic issues affecting the region were placed in a broader, global context. Trade, commodities, capital flows, development assistance were all issues that each country had to address in presence of Europe, Japan, and the developing countries of Asia and Africa.³⁶⁰

As for the human rights issues, since the first days the Carter administration had been working to develop a climate of greater respect for basic rights. In accordance with the human rights legislation, it was chosen to oppose assistance loans or other actions in order to dissociate the United States from repressive regimes. In the Brazilian case, as recalled in the paragraphs above, it was Brasilia to renounce U.S. foreign military assistance for 1978 since the military government didn't tolerate unwarranted interference in its internal affairs. But this gave importance to the human rights issue and made it a central topic also in the bilateral presidential talks.

But Washington decided not to request foreign military sales for Brazil also for the fiscal year 1979; moreover, as reported in a November 1978 synopsis on IFI-related human rights actions, "the approval of some export licenses for both commercial arms and munitions list items had

³⁶⁰ Idem.

been delayed or denied”³⁶¹ (unfortunately, it is not available a specific list of the licenses at issue).

Nevertheless, the decision not to activate any security assistance program both for 1978 and 1979 did not affect the intense bilateral trade. As it is possible to see from a study conducted by Feenstra et al.³⁶² on world trade flows between 1962 and 2000, there was a wide variety of commercial sectors in which high volumes of commodities were exchanged: agricultural products and food, minerals, coal oil and gas, chemicals, tobacco, electronic as well as leather products. But the categories in which bilateral flows were particularly dense were: ‘agricultural production crops’, and ‘food and kindred products’ as Brazilian products imported by the United States, and ‘chemicals and allied products’, and ‘industrial machinery and equipment’ as American products exported to Brazil.³⁶³

The presidential visit at the beginning of 1978 initiated a thaw in the relations between Washington and Brasilia

³⁶¹ Appendix A *Synopsis of IFI-related Human Rights Actions by Country*, Confidential, attachment to the Memorandum from Brzezinski to the Secretary of State *Midterm Human Rights Reports*, November 3, 1978, Confidential, Records of Anthony Lake 1977-1981, NARA.

³⁶² Feenstra, Robert C.; Lipsey, Robert E.; Deng, Haiyan; Ma, Alyson C.; Mo, Hengyong *World Trade Flows: 1962-2000 – Working Paper 11040*, NBER Working Paper Series, National Bureau Of Economic Research, Cambridge, January 2005.

³⁶³ These data have been taken from UN data collected at various times by Robert Lipsey and Harry Bowen for different trade studies. They reflect the UN data bases at the times of original acquisition, and do not include any subsequent revisions such as may be included in the current UN Comtrade data base for those years. For further detailed data and analyses see: <http://cid.econ.ucdavis.edu/>.

that facilitated commercial relations as well as diplomatic exchanges. On November 8-9, 1978 a round of planning talks took place. As provided by the Memorandum of Understanding, diplomatic representatives of the two countries met to discuss topics of mutual interest. Unfortunately, primary sources do not provide a detailed report of the meeting, and only a memorandum with a summary of the talks is available in the U.S. archives.³⁶⁴ Anthony Lake wrote to Secretary Vance:

“While not hesitating to criticize aspects of our global policies, the Brazilians seemed generally to appreciate our basic thrusts on East-West, African and hemispheric issues. On North-South issues, they continued to display the ambiguous position of wanting increased participation in international decision-making as befits an emerging power while not wanting to be excluded from any benefits extended to LDCs. The sensitive bilateral issues of nuclear non-proliferation and military cooperation were omitted from the talks. We raised human rights in a global and Soviet context, and it was interesting to note how little the Brazilians disagreed with our position. The talks ended with a friendly meeting with Foreign Minister Silveira”.³⁶⁵

The American delegation devoted a day to meet non-governmental leaders in Sao Paulo, something that, in

³⁶⁴ Briefing Memorandum from Anthony Lake to the Secretary *Brazilian Planning Talks November 8-9, 1978*, November 21, 1978, Confidential, Subject Files of Edmund Muskie, NARA.

³⁶⁵ Idem.

Lake's words, "exposed [them] to the exhilarating process of political liberation [...] underway". On October 15, 1978 General Figueiredo was chosen as the president-elect of Brazil³⁶⁶ and in those weeks concern existed as to whether he would be able to guide the liberalization process, although it was pretty unlikely that the process could be capped.³⁶⁷ Figueiredo, on the other hand, presented himself as a person with an "amiable personality", that could prove "an asset in the more open political system that was emerging".³⁶⁸ The CIA also considered that there were very likely prospects for the establishment of democratic governments in Latin America.

"A growing sentiment throughout the hemisphere favors civilian rule, or at least broader civilian participation in the governing process. Leaders in the area know that the U.S. and, to a lesser extent, governments in Western Europe are uncomfortable dealing with military regimes. But developmental problems and national security concerns, some real and some imagined, will remain a serious roadblock to constitutional, democratically-elected government."³⁶⁹

³⁶⁶ João Batista Figueiredo, Geisel's choice since December 1977 and ARENA candidate, was elected by the *Colégio Eleitoral* with 355 votes. His opponent, Euler Bentes Monteiro, candidate of the MDB party, received instead 266 votes.

³⁶⁷ Briefing Memorandum from Anthony Lake to the Secretary *Brazilian Planning Talks November 8-9, 1978*, November 21, 1978, Confidential, Subject Files of Edmund Muskie, NARA.

³⁶⁸ Skidmore, Thomas E. *cit.*, p.210.

³⁶⁹ *Prospects for democratic government in Latin America*, Secret, 1978, CREST, NARA.

According to the CIA analysis, because of Brazil's pre-eminence in South America, the speed and extent to which the high command there would allow democratization to proceed –and the ultimate success or failure of the process– would have an important impact on its neighbors. The Brazilian 'model' had been followed in other Latin American countries, like Argentina, Chile and Uruguay, after the 1964 military coup; it would therefore be beneficial to the whole region if the same happened with the start of a democratization process. After 14 years of rule, "the Brazilian armed forces appear[ed] to have embarked on a course of extricating themselves from the active exercise of power. The process [would] be gradual however, and there probably [would] be setbacks", and even in the case of a military return to the barracks, the CIA expected the generals to "retain a political role as overseer of the political process".³⁷⁰ The plan to move back toward a civilian-based government was largely supported by the bulk of the armed forces, and reflected a number of factors. The military had become wary of the responsibility for the full range of economic and political problems of Brazil and, to a large degree, the military saw their main task, the establishment of sustained economic growth, as accomplished. Nonetheless, the outlook for a transition to a democratic regime was considered likely to be difficult and could be threatened if Figueiredo proved to be unwilling (or unable) to deal with the complexities and nuances of a

³⁷⁰ Idem.

period of change. Still, according to the CIA, even if liberalization fared well, the government would not become as open as that of the U.S. or other Western nations:

“In Brazil, governments, whether civilian or military, have tended to concentrate a preponderance of power in the hands of the executive and, even among civilians, authoritarian and paternalistic institutions are strong. In addition, the armed forces have traditionally acted as the moderators of governments, and even out of power will retain the overseer role”.³⁷¹

President-elect Figueiredo³⁷², despite being a military himself, was considered the ideal successor of the liberalization process begun by President Geisel.

“We expect the government of João Baptista

³⁷¹ Idem.

³⁷² João Baptista de Oliveira Figueiredo was born in Rio de Janeiro on January 15, 1918. He received a military education, and he also attended the School of Command and Staff and the *Escola Superior de Guerra*. He was appointed General Secretary of the National Security Council during the Quadros presidency (that lasted only 8 months from January to August 1961) and participated in the movement that led to the 1964 military coup that overthrew President João Goulart. Figueiredo served as head of the agency of the NIS (National Intelligence Service) in Rio de Janeiro (from 1964 to 1966), he then became commander of the Armed Forces of São Paulo (1966-1967), Chief of the First Regiment of the Cavalry of Guards - Dragons of Independence (1967-1969) and Chief of Staff of the 3rd Army in 1969. Head of the Military Office in the years of Medici presidency (1969-1974), he was appointed Chief Minister of the NIS during the Geisel presidency(1974-1979) and became General of the Army in 1977. On March 15, 1979 Figueiredo assumed the presidency through indirect election .

Figueiredo to continue the effort begun by President Geisel to open the political system to greater civilian participation. [...] This liberalization process, though, will be subject to setbacks, and its ultimate success is by no means guaranteed. [...] We expect the new government to continue the policy of export-led economic growth that has characterized recent years, and there could be new emphasis on developing Brazil's agricultural sector. The Brazilians will remain highly dependent on and receptive to foreign investments. We also expect the new administration to scale down – but by no means abandon – Brazil's massive nuclear development program [...]. Finally, we believe Figueiredo has an open mind with regard to relations with the U.S. and clearly hopes that recent tensions between the countries over nuclear non-proliferation and human rights can be overcome. Nonetheless, the new governing team will be very wary of U.S. intentions in these areas, which will continue to be seen in Brasilia as potential stumbling blocks".³⁷³

The opinion on Figueiredo as an open-minded, liberalizing leader was not shared by all and it is worth here to recall an interesting article written at the beginning of 1979 and published on the magazine 'CounterSpy'³⁷⁴ for

³⁷³ Telegram from Dept of State to SecState AID *Latin America Brief*, Secret-Sensitive, January 13, 1979, RAC, JCL.

³⁷⁴ CounterSpy was a U.S. magazine founded by the former CIA agent Philip Agee in 1973. The magazine published articles on covert intelligence operations. CounterSpy's publisher was the Fifth Estate Publishing Company. The Fifth Estate presented itself as a "non-partisan, non-profit, alternative intelligence community serving the American public. The Fifth Estate ha[d] been formed in response to the continuing development of an Orwellian

its April-May issue. The author wrote:

"As for Brazil's new president, João Baptista Figueiredo, and what lies in store for the Brazilian people, a few words must be said. For the unsuspecting, last month's appointment of Figueiredo as president appeared to usher in a new era of liberalization for that country's political situation. Pledging to continue the reforms (which included the closing of Congress for four months in 1977) initiated by his predecessor, Ernesto Geisel, Figueiredo declared that it would be his "unswerving purpose" to make Brazil a democracy. He guaranteed freedom of expression for the "many segments of Brazilian public opinion."⁹⁰ But for those who have even the slightest familiarity with the man who is Brazil's fifth military head of state since the armed forces carried out a CIA-backed coup in 1964, João Baptista Figueiredo is to be watched closely.

His background speaks to the intimate role the CIA has played in making Brazil one of the most repressive and, not surprisingly, one of the "safest" investment climates in Latin America. After the '64 coup, the CIA

society in the United States and the world. Technofascism – the correct term for the Orwellian society – "was considered a threat to the maintenance of the status as free citizens in a democratic society. The experimental development of technofascism include[d] such things as [...] military spying on civilians, CIA clandestine activities, FBI (and local police) infiltration, media management, [...]". See *Don't Read This Out Loud! An Introduction to the Fifth Estate*, available online at: <http://jfk.hood.edu/Collection/Weisberg%20Subject%20Index%20Files/C%20Disk/Committee%20For%20Action%20and%20Research%20on%20the%20Intelligence%20Community/Item%2005.pdf>. CounterSpy stopped working in 1984.

helped Brazil set up its first national intelligence service, the SNI. Figueiredo became the director of its Rio office. Later he was named head of the military police in Sao Paulo, after which he became then-President Emilio Medici's chief of staff. Before coming to Brasilia in 1974 to direct the SNI, Figueiredo commanded the Third Army in Porto Alegre. Given the documented penetration and usurpation of the SNI and the police forces by the CIA, can there remain any doubt that with Figueiredo's ascendancy to the executive office, Langley truly has their 'man in Brazil'?

In an effort to dress up the seamy history of their new president, the National Renewal Alliance (ARENA *ndr*), the Government party, hired the largest advertising agency in Brazil to change Figueiredo's public image. The agency, Al Cantor Machado, which works closely with the huge New York ad agency, Doyle, Dane & Bernbach, replaced Figueiredo's dark glasses with clear, metal-framed ones, got him to tone down on insults such as "For me the smell of horses is better than the smell of people," and, finally, succeeded in projecting him as almost a populist, anti-establishment figure".³⁷⁵

According to this interpretation of the events and of the political career of Figueiredo, it seemed that the new Brazilian president had removed democratization from the realm of political possibilities. "Under the new president", it was also possible to read, "the future of Brazil's 116

³⁷⁵ Gribbin, Peter *Brazil and CIA*, CounterSpy April-May 1979, pp.4-23, available in the CREST, NARA.

million people bodes ill".³⁷⁶

Even if no one within the administration shared this opinion, a kind of incongruity of Figueiredo's stance was noticed.

"President-designate Figueiredo has expressed strikingly contrasting views on a number of issues closely related to the eventual liberalization of the political system. Because of his ambivalence, many Brazilians must now be wondering what Figueiredo's true opinions on this all-important subject really are and how deep, in fact, is his expressed commitment to a political 'opening'".³⁷⁷

In a short time lapse, instead, the political figure and the personality of Figueiredo became reassuring to Washington, or at least to the National Security Adviser: Brzezinski wrote to Carter that with the new president relations were destined to "improve significantly".³⁷⁸

History has shown that an easing of the relations between Washington and Brasilia in the years of the Figueiredo's administration actually happened. Several factors contributed to this result, but two are the major reasons to note: first, during 1979 "the superpower

³⁷⁶ Idem.

³⁷⁷ Unsigned document *Noteworthy Political and Economic Developments – Brazil: The Views of President-Designate Figueiredo*, Secret, April 26, 1978, RAC, JCL.

³⁷⁸ Memorandum from Brzezinski to the President, Secret-Sensitive, September 25, 1978, CREST, NARA.

management characteristic of *détente* was melting fast”³⁷⁹, and at the same time the cold war paradigm started again to regulate the international scenario, with the United States becoming increasingly involved in an escalation of tensions with the Soviet Union (which culminated in the Soviet invasion of Afghanistan in December 1979); second, human rights stopped to be an issue in the bilateral political discourse, on the one hand because the United States had to change its priorities in the international agenda, and on the other because Brazil was experiencing a gradual improvement in the internal human rights situation.

Already in June 1978, Cardinal Arns affirmed that in Brazil there was a moderate enhancement in the respect of human rights:

“During Ambassador Sayre’s³⁸⁰ courtesy call, Cardinal Arns stated that the human rights situation in Brazil has improved. He thought that international pressure was, by and large, no longer necessary; that the situation had evolved to the point where interest parties had enough legal recourse and force of public opinion; and that international pressure, particularly through a press network involving London, Paris, the U.S., and

³⁷⁹ Spektor, Matias *cit.* p.272.

³⁸⁰ Robert M. Sayre received the nomination as U.S. ambassador to Brazil on February 9, 1978 and succeeded John Hugh Crimmins, who had been Ambassador Extraordinary and Plenipotentiary to Brazil from August 1973 till February 1978. See Carter, Jimmy *United States Ambassador to Brazil Nomination of Robert M. Sayre*, February 9, 1978, PPPUS, available online at: <http://www.presidency.ucsb.edu/ws/?pid=30327>.

Canada, had proved very effective through publicizing cases".³⁸¹

Almost in the same weeks, also the CIA documented some decisive decisions taken by Geisel:

"President Geisel has approved a measure re-establishing the right of habeas corpus for those accused of violations of the national security law. Restoration of this legal guarantee has been a persistent and fundamental demand of critics of the regime, which until recently had not seriously considered reinstating it. [...] The move is clearly significant and fit[s] in with Geisel's announced intention to introduce a number of normalizing measures before the end of his term".³⁸²

To make the subject of human rights an internationally relevant discourse, then, apparently improved the human rights respect in Brazil, one of the first countries to experience the human rights diplomacy of the Carter administration. The administration saw the first two years of the human rights policy as a rewarding success:

"There had been an increase in awareness of human rights issues throughout the world, which helped to curb existing abuses and acts as an important deterrent to new violations. There had been releases of many political

³⁸¹ Memorandum from Global Issues to Brzezinski *Evening Report*, June 14, 1978, Secret, RAC, JCL.

³⁸² Central Intelligence Agency – National Foreign Assessment Center *Human Rights Review (5-11 May 1978)*, Secret, May 12, 1978, RAC, JCL.

prisoners in over a dozen countries and movement toward restoration of democratic rule by a number of military regimes. The administration did not take credit for particular improvements but believed it had helped to create an atmosphere in which human rights progress was more likely to occur".³⁸³

Narrowing the analysis to the impact of the human rights policy in Latin America, Bob Pastor wrote:

"While the human rights policy may be a good instrument of ideological diplomacy in other areas, I don't think that ought to be done one of our purposes in this hemisphere. I was working under the impression that the goals of our human rights policy include: to contribute to a climate in which human rights are increasingly respected and the costs of repression have increased as well; to identify the United States with a universal cause, [...]; and to project the U.S. as an idealistic, moral nation actively working toward a better world".³⁸⁴

It is evident that rhetoric and idealism were still perpetuated as U.S. foreign policy discourse, but nevertheless diplomatic actions needed to be re-evaluated:

³⁸³ Memorandum from Tarnoff to Brzezinski *President's Meeting with Secretary Vance and Assistant Secretary Derian on the Human Rights Policy*, Confidential, December 5, 1978, Records of Deputy Secretary Warren Christopher, NARA.

³⁸⁴ Memorandum from Pastor to Brzezinski *Impact of U.S. Human Rights Policy in Latin America*, Confidential, October 4, 1978, RAC, JCL.

“If our overall human rights policy is to be effective and credible, one aspect needs to be that we have warmer and closer relationships with those governments which share our ideals and cooler and more distant relationships with those governments that don’t. This necessarily means that our relations with the military governments in the Southern Cone should range from being cordial and correct –as in the case of Brazil, where we have a wide range of consultative mechanisms- to being distant, as in the case of Chile”.³⁸⁵

³⁸⁵ Idem.

6. 1979: A TURNING POINT FOR THE BILATERAL RELATIONSHIP.

In her brilliant contribution to the Cambridge History of the Cold War, Nancy Mitchell analyzes the years of the Jimmy Carter presidency through the lens of the Cold War, and writes: "Although the struggle between the superpowers had begun in Europe, it had soon moved to safer terrain. Fourteen years before Carter took office, John F. Kennedy had declared, 'Berlin is secure, and Europe as a whole is well protected. What really matters at this point is the rest of the world'".³⁸⁶ The author points out an essential aspect of the Cold War in the late Seventies, that is to say that in those years it was "the rest of the world" the main stage on which the U.S.-USSR competition was performed, namely it was the case of the Third World countries.

Intervention in the Horn of Africa, normalization of diplomatic relations with the People's Republic of China, the Middle East peace process and the Camp David accords are just some examples of how multi-directional the U.S. foreign policy had become.

But Nancy Mitchell underlines that, instead, nothing fundamental had changed in the approach to the foreign policy during those years of deterrence:

"The Cold War remained the paradigm and, for the United States, containment remained the strategy. *Détente*, however, did introduce an element of confusion:

³⁸⁶ Mitchell, Nancy *cit.*, p.74.

it made it difficult to maintain a sharp focus on the conflict. Was the Soviet Union a mortal enemy, as the U.S. defense budget continued to indicate, or was it, as the rhetoric of *détente* claimed, a partner in creating a 'stable structure of peace'? [...] Intensifying the confusion was the increasing salience of human rights, signaled not only by the Helsinki Accords but also by the 1974 Jackson–Vanik amendment that tied U.S. trade liberalization with the USSR to Moscow's treatment of its Jewish citizens. If *détente* meant that the United States accepted Moscow as a *status quo* power, the assault on Soviet abuses on human rights implied the opposite: that the West did not accept the legitimacy of the Soviet regime".³⁸⁷

Détente was a new feature of the Cold War, but Washington and Moscow in fact never stopped to compete. Human rights emerged as a new topic on which the United States could confront the Soviet Union, and the United States then used it as a foreign policy tool *tout court*, also in the "rest of the world" where the Cold War was fought, and especially in its own hemisphere.

In this regard, Nancy Mitchell highlights:

"Carter did not initiate the discussion of human rights; he rode a wave that had been growing since the end of World War II and that had gained momentum in 1975 when the United States, the Soviet Union, and the

³⁸⁷ Mitchell, Nancy *cit.*, p.72.

countries of Europe, East and West, signed the Helsinki Accords".³⁸⁸

Jimmy Carter's choice, therefore, was an implementation of the spirit of his times, meant to be applied world-wide. In June 1979, just a few days before Carter departed to Vienna to meet the Soviet leader Brezhnev and to take part to the summit for the signature of the Treaty on the Limitation of Strategic Offensive Arms (SALT II) and the Protocol, Patricia Derian wrote to Secretary Vance:

"U.S. human rights policy is based on our commitment to international standards, including the joint pledges our two countries [the U.S. and the USSR *ndr*] have made in the Helsinki Final Act. [...] We do not seek unilateral advantage from our human rights policy. There is great domestic U.S. interest in human rights in the Soviet Union, but this is based on real concern and our belief that, to be lasting, *détente* must involve improvements in the lives of ordinary people in the spirit of the Helsinki Final Act. Human rights strengthens *détente*".³⁸⁹

It is a very interesting idea, the one expressed by Patricia Derian in her message to Vance: the human rights policy was precisely a result of the deterrence between the

³⁸⁸ Mitchell, Nancy *cit.*, p.71.

³⁸⁹ Action Memorandum from Derian to the Secretary *Human Rights at the Vienna Summit*, Confidential, June 6, 1979, Records of Deputy Secretary Warren Christopher, NARA.

two superpowers and at the same time a tool to keep alive the spirit of *détente*.

Traditionally considered of American hemispheric pertinence, Latin America, and Brazil in particular, was not a geographic area where the competition between the U.S. and the USSR could take place. Nevertheless, it was a region where the human rights diplomacy was constantly put into practice.

1979 was a decisive year for the improvement of the relationship between Washington and Brasilia, on the one hand because the new presidency in Brazil could represent a new start for the bilateral dialogue, and on the other because, at the end of that year, "as Christmas 1979 dawned in the West, *détente* faded"³⁹⁰. Inevitably, Carter's attitude immediately changed and other (old?) foreign policy issues became of primary importance. Moreover, in 1979 only eighteen months were still to go before the first Carter's mandate came to an end and the President had to run again for elections.

In August 1979, Warren Christopher wrote to Cyrus Vance:

"Priority for domestic issues will preclude the President's personal involvement in foreign policy initiatives requiring a major commitment of his time. Existing commitments (e.g., Middle East negotiations),

³⁹⁰ Leffler, Melvin P. *For the Soul of the Mankind – The United States, the Soviet Union and the Cold War*, Hill and Wang, New York, 2007, p.334.

the 'day-to-day' flow of foreign 'crises', and unavoidable state visits will continue to occupy an important place on the President's calendar, but he will not be able to make substantial time for new initiatives. And probably he shouldn't. [...] Our goals will be constricted by election year politics. This does not mean that we should step back from projects which are in the national interest, but we must recognize that our ability to initiate and accomplish must reckon with political factors".³⁹¹

One of the ten major goals³⁹² to achieve for the last 18 months of the Carter administration was the improvement of relations with Latin America. The Deputy Secretary wrote:

"An unusual opening for progress in Latin American relations is provided by the Panama Canal Treaties, our role in the removal of Somoza, and our human rights policy".³⁹³

And devoting a specific attention to the diplomatic exchanges with Brazil, Christopher added:

³⁹¹ Memorandum from Warren Christopher to the Secretary *The next 18 months*, Secret, August 9, 1979, Records of Deputy Secretary Warren Christopher, NARA.

³⁹² The ten goals suggested by Warren Christopher were: 1) Latin America; 2) The Genocide Treaty; 3) Indochina; 4) South Asia; 5) North-South Dialogue; 6) Foreign Service Reform; 7) Trade Agreements with the PRC and Soviet Union; 8) A Non-isolationist Energy Policy; 9) Normalizing Diplomatic Relations; 10) A Comprehensive Middle East Settlement.

³⁹³ Memorandum from Warren Christopher to the Secretary *The next 18 months*, Secret, August 9, 1979, Records of Deputy Secretary Warren Christopher, NARA.

“The new Figueiredo regime affords an opportunity to put our relations on a sound and friendly footing. We started off on the wrong foot with Brazil but they have recently shown signs that they are ready for a closer relationship. We should begin to consult with them not primarily on bilateral matters, but on regional and global issues, treating them as the equals that they may someday be. Sometimes during this period, I would like to consider making a trip to Brazil, which, if it went well, might be seen in contrast to the trip I made at the very beginning of the administration, carrying the rather heavy non-proliferation message”.³⁹⁴

6.1 João Baptista Figueiredo: new priorities and new challenges.

On March 15, 1979 the presidency of João Baptista Figueiredo was inaugurated. He was the fifth in the line of generals who had led Brazil since 1964, and was expected

³⁹⁴ Idem. Warren Christopher here refers to the trip he made to Brasilia in the first weeks of the Carter administration to dissuade the Brazilian military leaders to continue the nuclear proliferation program. Christopher arrived in Brasilia on March 1, 1977 and left the country only 24 hours later, earlier than the scheduled, because the bilateral meetings ended pretty badly.

to continue the political liberalization begun by outgoing President Geisel, possibly even giving way to an elected civilian at the end of his own term in 1985. Figueiredo's new government³⁹⁵ "resembled Geisel's in several respects"³⁹⁶, but especially for three aspects: first, no member had significant independent political appeal; second, the cabinet had a mildly reformist bent, presumably part of a strategy to combine political liberalization with small doses of socio-economic reform; third, the cabinet included few military. "The question was whether their relative absence in the cabinet would mean less military influence in government".³⁹⁷

Greater cordiality in Brazil's relations with the United States was expected and this seemed even more likely after the decision to appoint Ramiro Saraiva Guerreiro³⁹⁸ as new Foreign Minister. In a CIA cable it was affirmed:

³⁹⁵ The key ministers were: Mario Simonsen, former Minister of Finance, was appointed Minister of Planning; the new Finance Minister was instead Karlos Rischbieter, who had headed the Bank of Brazil for four years; Delfim Neto left his ambassadorship in Paris to become Minister of Agriculture; Maurilo Macedo was chosen as Minister of Labor and Eduardo Portella as Minister of Education; the Army Minister was General Walter Pires, who had worked closely with Golbery and Figueiredo himself in the early 1960s; finally, Ramiro Saraiva Guerreiro was appointed as Foreign Minister.

³⁹⁶ Skidmore, Thomas E. *cit.*, p.212.

³⁹⁷ *Idem.*

³⁹⁸ Ramiro Saraiva Guerreiro was a Brazilian diplomat and politician. He served as Minister of Foreign Relations during the years of Figueiredo presidency, from 1979 until 1985. Before that, Guerreiro was General Secretary of Foreign Relations in the government of President Geisel, from 1974 to 1978.

"He [Figueiredo *ndr*] is replacing a testy, nationalistic foreign minister with a career diplomat known for his even-handed views and low-keyed manner. The new President and his advisers do, however, share the concern of their predecessors over U.S. policies in the areas of trade, nuclear non-proliferation and human rights. They will be watching for signs of renewed pressure in these areas".³⁹⁹

Important efforts were required to President Figueiredo, especially in domestic policies, not only for the continuation of the liberalization process begun in the years of Geisel's *abertura lenta e gradual*, but also because of mounting economic problems.

"Liberalization to date has resulted in the virtual end of press censorship, a dramatic reduction in security excesses, and major steps to curb the regime's authoritarian powers. There is now a generalized expectation that the role of civilians in national decision-making will increase substantially and that the armed forces dominance will correspondingly recede. Figueiredo promises, though with few specifics, that he will 'make Brazil a democracy'. It will be the new government that defines the nature -and limits- of liberation as it goes along. The process is certain to be complicated because both civilians and military men will continually be groping for ways to relate to each other in a changed environment and because there is still a

³⁹⁹ National Intelligence Daily (Cable) *Brazil – Challenges for the New President*, Top Secret, March 15, 1979, CREST, NARA.

significant, though small, minority within the military hierarchy that will eagerly seize on any excuse to argue forcefully against liberalization".⁴⁰⁰

Figueiredo was expected to contend with a more assertive political opposition than his predecessors had to deal with and, moreover, the new President had at least five serious priorities to tackle: the need to reduce inflation, in those months running over 40%, chiefly by cutting government spending; the return to private hands of those public companies and services in which state ownership was not essential; implementation of measures to revitalize agriculture, and bring down or at least stabilize food prices; changes in the tax structure, along with other credit and fiscal devices to reduce significantly income and regional disparities; cut of massive foreign debt by increasing domestic savings in both the private and public sectors.

The day after Figueiredo's inauguration, on March 16, 1979, Vice President Walter F. Mondale announced his decision to fly to Brazil and Venezuela the following week to confer with newly-inaugurated leaders of those two countries. The vice president had been scheduled to attend presidential inaugurals in both countries but canceled his plans so he would not be out of the United States while President Carter was involved with a Middle East mission, in Egypt and Israel. This was why Mrs. Mondale and Labor Secretary Ray Marshall represented the United States at the

⁴⁰⁰ Idem.

ceremonies. The vice president's trip "[wa]s an indication of the importance President Carter attache[d] to good relations and high-level consultations" with the two Latin American countries.⁴⁰¹

In a memorandum written by Warren Christopher to Mrs. Mondale a few days before her participation in the inauguration ceremonies, he stated:

"The primary objective of your trip is to manifest [...] our deep and abiding interest in cordial, cooperative and mutually beneficial relations with the incoming governments. [...] Brazil, though oil poor, is an economic giant which sees itself as an emerging world power. Our relations are improving, but have been strained by recurrent tensions. We want our working relations with the new Figueiredo Administration to develop more effectively than they did with President Geisel".⁴⁰²

The United States attached a high importance on effective relations with Brazil, and on getting off on the right foot with its new government. U.S. interests in Brazil were large, because, as Christopher recalled:

"Brazil has the largest and most sophisticated industrial complex south of the equator. Brazilian actions help shape the outlook for international trade and

⁴⁰¹ "The Associated Press", March 16, 1979; "The New York Times", March 17, 1979, p.17.

⁴⁰² Memorandum from Warren Christopher to Joan Mondale *Your Visit to Venezuela and Brazil, March 11-16, 1979*, Secret, no data, RAC, JCL.

finance, conventional arms restraint, and nuclear non-proliferation. As Brazil develops, its cooperation will be increasingly important to the West".⁴⁰³

Since President Carter's visit in March 1978, the bilateral relations had improved but were not warm yet. Washington was concerned about the growing conviction among Brazilians that the U.S. was unresponsive, or even hostile, to Brazil's aspirations: disagreements over trade policies, financial issues, Law of the Sea, and nuclear program had led to suspicions in Brazil that Americans were either opposed to Brazil's emergence as a global power, or did not understand Brazil's needs.⁴⁰⁴

In Christopher's opinion:

"The Figueiredo administration [would] mitigate the abrasiveness of the recent past. Figueiredo [was] personally warmer and more accessible than Geisel. The skilled new foreign Minister, Ramiro Saraiva Guerreiro, intend[ed] to make better relations with the U.S. one of his priorities. But Brazil's aggressive, often nationalistic drive for major global power status [was] almost an universal goal among Brazilian elites".⁴⁰⁵

The United States had clear in mind what objectives to pursue: to engage Brazil in a frank and open dialogue on matters of mutual interest and concern; to contain

⁴⁰³ Idem.

⁴⁰⁴ Idem.

⁴⁰⁵ Idem.

inevitable conflicts by avoiding confrontations [...], but without giving the impression of abandoning its overall policy objective; to highlight the importance of continuing the existing close consultations that had helped settle many disputes (especially in the commercial and financial sectors). The Brazilian objectives, instead, were a bit different: to keep lines of communications open with the U.S. as Brazil expanded its global activities; to maintain constructive relations without limiting its freedom of action; to secure U.S. understanding and sympathy for free access to world capital markets and rapid export growth.⁴⁰⁶

On the two issues on which the United States and Brazil had had major tensions and estrangement, the Carter administration had clear expectations. On nuclear matters, Figueiredo was expected to take a close look at current programs because of rising costs, increasing technical problems, and the need for financial austerity. On human rights, Figueiredo intended to carry forward the political liberalization process and reduce economic inequalities.⁴⁰⁷

⁴⁰⁶ Annex B *Key Issues for Brazil*, Secret, no date, RAC, JCL.

⁴⁰⁷ Idem.

6.2 March 1979: Walter Mondale meets João Figueiredo.

Vice president Mondale arrived in Brazil in the evening of March 21, 1979 and he was scheduled to meet President Figueiredo in the afternoon of the following day, March 22, 1979.⁴⁰⁸ “When Mondale arrived in Brasilia from Washington”, Timothy Power writes, “he discovered an accelerating political opening and a new U.S.-Brazilian relationship uncolored by tensions over the issue of human rights”.⁴⁰⁹

Unfortunately, there is no documental record available in order to know precisely what topics were tackled during the meeting and how good the reciprocal attitudes were. But the American press reported with enthusiastic tones about the Mondale-Figueiredo talks. The vice-President arrived in Brasilia declaring that he was there with the intent of further improving the already good relations between the U.S. and Brazil, “particularly through expanded scientific and economic cooperation”.⁴¹⁰ For the New York Times:

“Mondale [told] reporters that Figueiredo ha[d] accepted his offer to send Dr. Frank Press, President Carter's scientific adviser, and a team of specialists to consult with Brazilian scientists. Mondale add[ed] that

⁴⁰⁸ “The Associated Press”, March 21, 1979.

⁴⁰⁹ Power, Timothy *cit.*, p.33.

⁴¹⁰ “The New York Times”, March 23, 1979, p.3.

Figueiredo accepted his invite to come to U.S. [Furthermore, Mondale] Sa[id] his conversations touched only briefly on human rights and on Brazil's \$5 billion deal to acquire nuclear processing facilities from West Germany, two subjects that [had] provoked crisis between Washington and Brasilia in '77".⁴¹¹

In a major effort to improve relations between the United States and Brazil, vice President Walter Mondale decided to back away from a confrontation over Brazil's nuclear energy program, which included plans to build a uranium reprocessing plant capable of producing weapons-grade plutonium.

In Mondale's words, "the two-year controversy over the Carter administration's effort to stop West Germany from selling nuclear reprocessing technology to Brazil had been 'greatly exaggerated'".⁴¹²

Mondale also praised what he said was a significant improvement in the human rights situation in Brazil and Figueiredo's promise to return the country to democracy when he would leave office in six years.

Consequently, Mondale wanted to stress the "great importance" the United States attached to its "constructive, mutually beneficial relationship" with Brazil, which had the world's 10th largest economy and which Mondale said was "a major factor in regional and world" affairs.⁴¹³

⁴¹¹ Idem.

⁴¹² *Mondale Shuns Atom Dispute in Visit to Brazil* "The Washington Post", March 23, 1979

⁴¹³ Idem.

Even before Mondale arrived Wednesday night, both Brazilian and U.S. diplomats here stressed that neither government had any interest in reopening the nuclear controversy, which, along with human rights, resulted in a major deterioration in U.S.-Brazilian relations after President Carter assumed office.

There had been speculation that Mondale and Figueiredo, who accepted an invitation to visit the United States later this year, would discuss the possibility of renewing military ties.

But, as long as the Washington Post told, that subject was not discussed. Mondale intended to underline how crucial the U.S. considered the Brazilian role also outside the hemispheric perimeter and therefore centered the talks with Figueiredo on global rather than bilateral issues: the new Israeli-Egyptian peace treaty, the status of SALT talks with the Soviet Union and efforts by the Carter administration to reduce inflation.⁴¹⁴

Mondale said he was confident, as a result of his talks in Brasilia, that Brazilian-U.S. relations would improve significantly in the years ahead, a sentiment echoed by Figueiredo who was described as "very satisfied" with his meeting with Mondale.

The vice president went so far as to say during a press conference that there were now "no serious bilateral issues" standing in the way of excellent relations between the two countries.

Once back to Washington, Mondale wrote to President

⁴¹⁴ Idem.

Carter reiterating the good impressions already stated before the press immediately after the bilateral meeting:

“President Figueiredo seems genuinely interested in putting past irritants in our relationship behind him and in returning to the traditional warm relationship we have had with Brazil”.⁴¹⁵

Figueiredo accepted the invitation to visit Washington by the end of 1979, proving the Brazilian intension to re-establish most cordial relations. On the other hand Mondale expressed some doubts that the role Brazil would play internationally in the near future would be as active as the United States might wish. Brazil was clearly preoccupied with developing its vast potential and, as big oil consumer, would pay much attention in not irritating the OPEC countries. Mondale recommended caution in being over-enthusiastic in their praise for Brazil, also in order not to irritate the Spanish speaking countries of Latin America, always “suspicious about collusions between the United States and Brazil”.⁴¹⁶

A few hours after Mondale’s departure from Brasilia, the Brazilian government announced its decision to appoint the former *chancellor* Silveira as Brazilian ambassador in

⁴¹⁵ Memorandum from the Vice President to the President *My Trip to Venezuela and Brazil: Impressions and Suggestions for Follow-Up*, Secret, April 2, 1979, RAC, JCL.

⁴¹⁶ Idem.

Washington. The Washington Post commented the news:

“Both American and Brazilian diplomats, including Brazil's new foreign minister, Ramiro Saraiva Guerreiro, said the Mondale visit had contributed to improved relations between the two countries and that Silveira's appointment as ambassador to the United States should not be viewed as detrimental to better ties.

There was some informed speculation here, however, that Silveira may have sought the post as ambassador to Washington as a way to monitor whatever new relationship develops between the two countries over the next several years.

Silveira, 61, is known as an unconventional diplomat because of his acid tongue and his willingness to speak his mind in public. [...]

Silveira, who had a warm relationship with former secretary of state Henry Kissinger, made no secret of his view that the Carter administration has been indecisive and clumsy in its handling of foreign policy. [...]

[However,] the Brazilians consider[ed] it a particular mark of respect for the country to which a former foreign minister is sent”.⁴¹⁷

The Brazilian government offered assurances that Silveira's appointment should not be viewed as an impediment to better ties.⁴¹⁸

⁴¹⁷ *Brazil Names Carter Critic Ambassador to U.S* “The Washington Post”, March 25, 1979.

⁴¹⁸ “The Associated Press”, April 30, 1979.

6.3 The Brazilian liberalization process and the path toward democratization.

A few months after Mondale's visit in March, early evidence indicated how serious the new Brazilian administration was about continuing the political openings begun by former president Geisel. Also the CIA was optimistic about the liberalization progress that Figueiredo was implementing:

"President Figueiredo has been in office less than three months, but sufficient evidence has accumulated to allow some tentative judgments [...]. The new President is indeed working toward the greater political openness he promised, building on the foundations laid by his predecessor. Figueiredo is making his liberalization moves deliberately and within an authoritarian framework, which in the Brazilian context is not contradictory".⁴¹⁹

For the next six years ahead, Figueiredo had the specific policy mandate of carrying forward the liberalization process started in 1974, and some important political tasks awaited the Brazilian President. First, it was necessary to refine or modify the political party system as well as cultivate and launch civilian political figures who could readily step into leadership roles as military withdrew. Second, in the meantime, much of Figueiredo's

⁴¹⁹ Memorandum *Brazil: An Early Look at the Figueiredo Administration – An Intelligence Assessment*, Secret, no date, CREST, NARA.

political work had to be aimed at building a civilian constituency to serve as a base from which to launch a candidacy in the next elections. But the CIA warned: "all this and more must be accomplished in a manner that will not allow demagogic politicians to gain prominence and thereby arouse the apprehensions of conservative military officers".⁴²⁰

It was clear, hence, that the United States would support any effort toward democratization and the establishment of civilian rule after almost twenty years of military dictatorship. It is interesting to note how the U.S. attitude toward its Latin American partner changed as a consequence of the transformation of the Cold War. In 1964, when the memory of the Cuban missile crisis was still vivid and Washington was worried about the Communist threat in the Southern part of the continent, the Johnson administration had not hesitated to support the overthrow of the Brazilian President João Goulart. A bit more than a decade later, when the Cold War had taken the shape of *détente* and competition was more based on the power of ideology than on military power, the Carter administration offered unconditional support to the Brazilian political liberalization and democratization. Washington wanted its foreign policy to be the bearer of appealing ideas: through principles the Carter administration intended to affirm the primacy of the American role in the international scenario, through idealism the Carter administration intended to stress how far and different Washington and Moscow were.

⁴²⁰ Idem.

In 1979, there was no doubt on what side of the bipolar fronts Brazil had chosen to stay and the United States wanted it to become a firm, but less authoritarian, ally within and outside the hemisphere.

In the first months of the Figueiredo administration, Brazil had been effectively proceeding in a manner consistent with a more open political system. Some moves had been symbolic, like Figueiredo's accessibility to the media and his regular meetings with pro-governmental political figures; other initiatives had been more politically significant. Among them: first, the announcement of an amnesty to all those charged with political offenses since the 1964 military takeover; second, the decision to take a moderate line toward students, rescinding the decree laws that over the years had been used to suppress student activism and punish university activists; and third, the will to mend fences with the Catholic Church, a frequent critic of the regime and traditional opponent of the military government.⁴²¹

In August 1979 the new Brazilian regime experienced several internal problems, and the Department of State in Washington wrote:

“Public restiveness and economic problems are testing the resourcefulness of the Figueiredo administration. Although the five-month old government

⁴²¹ Memorandum *Brazil: An Early Look at the Figueiredo Administration – An Intelligence Assessment*, Secret, no date, CREST, NARA.

has been mildly innovative, it has been either unwilling or unable to take definitive action on some crucial issues".⁴²²

A recent wave of strikes had affected cities in several states and also in the federal capital, inflation was spiraling, reaching almost 60%. These were the two major problems Figueiredo had to face in the first months of his mandate, and liberal clergymen as well as civilian politicians were side by side to stress the need for change. The record on the sociopolitical side was indeed positive: the President was gradually making himself and his ministers more accessible to the media; criticism of the regime, whether from strikers, union leaders, press, politicians, human rights groups was wide raging; the reform of the two-party system was formally under way. On some other sociopolitical changes, the government seemed instead being temporizing: the process of declaring a conditional amnesty for political opponents, a crucial issue for human rights activists, was definitely long in coming.⁴²³

Instead, it would be just a matter of days: on August 28, 1979 President Figueiredo promulgated the Law n.6683⁴²⁴, commonly known as the 'Amnesty Law' (*Lei de Anistia*), which granted the amnesty to all those that between

⁴²² Latin America Review *Brazil: Problems for Figueiredo*, Secret, August 24, 1979, RAC, JCL.

⁴²³ Idem.

⁴²⁴ For the full text of the law see at: http://www.planalto.gov.br/ccivil_03/Leis/L6683compilada.htm.

September 2, 1961 and August 15, 1979 had committed political or electoral crimes and to those who had their political rights suspended (namely politicians who had lost them under the Institutional Acts). Excluded were those guilty of acts of terrorism and of armed resistance to the government. Thomas Skidmore has defined the amnesty the most important early decision of the Figueiredo administration, because it was “a vital question to leave behind authoritarian rule and reintegrate into Brazilian society and politics the thousands of political exiles who had fled or been pursued abroad”.⁴²⁵

A further step toward democratization was taken and Figueiredo had given “Brazilian politicians a lesson in the art of conciliation”.⁴²⁶

6.4 The ending of 1979 and 1980.

The change at the top of the Brazilian leadership definitely marked a loosening of the tensions in the bilateral relationship between the two hemispheric giants. The United States and Brazil were ready to intensify

⁴²⁵ Skidmore, Thomas E. *cit.*, p.217.

⁴²⁶ Skidmore, Thomas E. *cit.*, p.219.

dialogue and cooperation, and leave behind misunderstandings and frictions.

As agreed during Mondale's trip to Brasilia, in October 1979 Frank Press, President Carter's scientific advisor, went to Brazil with technical agency representatives to discuss several cooperative Science and Technology (S&T) programs already under way, and to propose a selection of effective and achievable new programs. In the State Department, there was an increasing awareness that relations with Latin America were solid again and would likely continue to improve. "But the days of almost automatic U.S. hegemony [were] gone, replaced by a new spirit of independence".⁴²⁷ In those last years, Brazil ascribed the highest priority to science and technology for national development. "Motivated by the desire to achieve economic development and importance commensurate with its size as the fifth largest nation in the world, Brazil ha[d] pursued vigorous industrial development at the expense of social welfare and consumer-oriented programs".⁴²⁸

The United States and Brazil had signed in 1971 a first agreement on Science and Technology cooperation, broadened in 1976 to include applied S&T and, under the Memorandum of Understanding, joint groups on S&T and Energy were established. Despite this framework, activities with Brazil had been modest due primarily to political

⁴²⁷ Memorandum *Dr. Frank Press' Visit to Latin America and the Caribbean*, Unclassified, July 25, 1979, RAC, JCL.

⁴²⁸ *Idem.*

tensions. Now the time was ripe to move ahead on nuclear and human rights issues, and Brazil was mostly interested in cooperation on non-nuclear energy, agriculture, and space programs. On the U.S.-Brazilian space cooperation, the Carter administration intended to set up a Joint Planning Group to study a wide range of possibilities in space cooperation, with the United States ready to evaluate the extent to which they were willing to provide Brazil with space launch vehicle technology.⁴²⁹

It is evident that human rights had virtually disappeared from the agenda, the Carter administration “had started to promote democracy in Brazil after 1978”.⁴³⁰

Nevertheless, the international events that involved the United States at the end of 1979 diverted the American attention from the hemispheric relations and forced the Carter administration to focus on the new Cold War clash.

On November 4, 1979 fifty-two Americans were held hostage in the U.S. Embassy in Teheran by a group of Iranian students supporting the theocratic Iranian revolution led by Ayatollah Khomeini. This situation would last for 444 days, until January 20, 1981, when the Reagan presidency was inaugurated.

In December 1979, on Christmas day, the USSR invaded Afghanistan and the Carter administration was abruptly forced to embrace the old-fashioned bipolar logic

⁴²⁹ Memorandum from Brzezinski and Press to the President *U.S.-Brazilian Space Cooperation*, Secret, October 3, 1979, RAC, JCL.

⁴³⁰ Interview with Robert Pastor, April 11, 2011, Washington DC.

again. To use Nancy Mitchell's words, "Carter foreswore complexity and embraced old-fashioned dualism. But his inability to free the hostages in Iran made it impossible for him to free himself from the aura of weakness that had come to define him".⁴³¹

At the dawn of 1980, these two events weakened the Carter administration, already experiencing at the time low public support and harsh criticism. The whole world could see the United States as a vulnerable actor which had lost its leadership.

Human rights weren't anymore a foreign policy tool, and Brazil was considered neither a critical actor nor the theatre for U.S. foreign policy. Rather, there was a continuing improvement in the bilateral relations, that facilitated a friendly and candid exchange of opinions. In fact, on March 24-25, 1980 the U.S.-Brazilian policy planning talks (within the framework of the Memorandum of Understanding) took place.⁴³² Anthony Lake briefed Secretary Vance⁴³³ on the bilateral meeting, when the Brazilian willingness to cooperate with Washington in several areas clearly emerged:

⁴³¹ Mitchell, Nancy *cit.*, p.70.

⁴³² Briefing Memorandum from Lake to the Secretary *U.S.-Brazilian Policy Planning Talks, March 24-25, 1980*, Confidential, April 24, 1980, Subject Files of Edmund S. Muskie 1963-1981, NARA.

⁴³³ Secretary of State Cyrus Vance would resign in April 1980, after the secret mission (Operation Eagle Claw) to rescue the American hostages in Iran. Edmund Muskie would become the new Secretary of State for the remainder of the Carter administration.

“Brazil, while indicating that it would avoid undercutting U.S. efforts to deter Soviet aggression in Afghanistan, was concerned that increasing East-West tension could adversely affect the West’s attention to the needs of developing nations and Brazil’s flexibility in pursuing a diversified foreign policy”.⁴³⁴

Brazil was looking for a balanced relationship with the United States and also the Carter administration had the same attitude toward Brasilia. 1980 was however a year in which the American attention shifted to other global issues. And also the (un)availability of documents in the American archives proves that major foreign policy efforts were put in dealing with the Soviet Union and Iran.

The United States was perceived, and probably perceived itself, as weak and ineffective in the international scenario. But, Mitchell notes, this was deeply wrong.

“It is not simply hindsight – the knowledge that nine years later the Berlin Wall would crumble – that highlights the startling misperceptions of 1980”, also argued Nancy Mitchell.⁴³⁵ Anyone could see, both the public opinion and government insiders, what the facts were: “during the Carter presidency, the United States normalized diplomatic relations with China, excluded the Soviet Union from the Middle East peace process, and saw a grave challenge to

⁴³⁴ Briefing Memorandum from Lake to the Secretary *U.S.-Brazilian Policy Planning Talks, March 24-25, 1980*, Confidential, April 24, 1980, Subject Files of Edmund S. Muskie 1963-1981, NARA.

⁴³⁵ Mitchell, Nancy *cit.*, p.67.

Soviet control over Poland. Yes, there were setbacks in the Third World, but there were huge gains in Asia, the Middle East, and Eastern Europe".⁴³⁶ These facts, however, were overlooked. Americans focused on their inability to stop Communism in Ethiopia, Afghanistan, and Nicaragua, and were not able to see that, actually, they were winning the Cold War.

⁴³⁶ Idem.

7. CONCLUSIONS: SOME REFLECTIONS ON JIMMY CARTER'S HUMAN RIGHTS DIPLOMACY.

During the 1976 presidential campaign, Jimmy Carter had convinced his electorate through three simple concepts: he wanted to give America a president not isolated from his people; to bring the United States on the move again; and bring to the White House confidence, competence and compassion the three key-words for his presidency. Jimmy Carter managed to convince the American people and entered the White House.

The four years of his presidency, however, were characterized by several international events.

In this work, I have analyzed the foreign policy of the Carter administration toward Brazil, the Latin American country that in those years was experiencing a radical political change. The U.S-Brazilian relationship in the late 1970s has always been considered the worst moment in the history of the bilateral relationship. It is indeed true, but it was also a relationship that rapidly changed, and improved, and that passed through three phases: the shock period, the denial period, and the face-to-face period. I have analyzed the U.S.-Brazilian relation through the prism of the Carter administration's human rights policy, which affected enormously the dialogue between Washington and Brasilia.

Also, in the case of the Brazilian reactions to the human rights diplomacy, it is possible to highlight the three phases

of the Brazilian attitude toward the United States.

The shock period coincided with the first months of the Carter administration and the publication of the human rights report on Brazil, as recipient country of foreign military aid. The Brazilians perceived this act as an interference in their internal affairs and reacted toughly, denouncing the 1952 Military Accord and refusing any economic aid for 1977. This was definitely the most difficult moment between the two countries, and any U.S. diplomatic effort either had bad results (the Christopher trip to Brasilia in March 1977) or no results at all (Rosalynn Carter's visit in June 1977).

The correspondence between Carter and Geisel probably helped improving the situation and thawing the reciprocal stances.

The denial period followed, when a glimmer for a renewed dialogue was perceivable. It was the moment when Cyrus Vance went to Brasilia to meet both Geisel and Silveira, and formal cordiality was restored. But the human rights issue basically could not be tackled in bilateral conversations, because any U.S. attempt to deal with the topic went unanswered.

President Carter's visit to Brazil in March 1978 represented a turning point. The decision to stop in Brasilia and Rio proved how central was Brazil for the regional and global policy of the United States. It was the first time in 30 years that a U.S. president visited Brazil and this was a signal that could not be ignored. Carter's friendly attitude, together with the fact that Geisel was accelerating the

domestic liberalization process, helped to restore kinder tones.

The day when, in March 1979, Figueiredo was inaugurated as new Brazilian President can ideally represent also the beginning of the 'face-to-face' period in the bilateral relationship. The new Brazilian presidency immediately gave important signals with respect to the liberalization of the political situation, and the new foreign Minister proved his intention to be cooperative and cordial. Brazil was becoming a pivotal actor in the North-South dialogue and during the 1970s had been able to create a large diplomatic network with the European and Asian countries, as well as with the Middle East. Brazil was growing internationally and intended to be recognized as an equal partner.

What it is possible to maintain is that the Carter administration, after the first months during which assumed a confrontational attitude, promoted an intense effort to keep alive the diplomatic relations with the Southern hemispheric giant. But, as Britta Crandall writes:

"Despite these attempts to maintain the historical amicability between the two countries, for better or for worse, the Carter administration was not able to revive its unwritten alliance with Brazil. First, rather than being honoured by the attention bestowed on Brazil by

Washington, Brazil felt slighted for not being valued more".⁴³⁷

The Brazilian leadership was probably disappointed by the awareness that the regional special relationship of the previous years was gone; at the beginning of the 1970s the Washington-Brasilia axis had become very strong, also thanks to the Kissinger-Silveira personal friendship. As soon as the U.S. administration changed, so changed the quality of the dialogue.

Historian Gaddis Smith also stresses that "to Brzezinski's dismay, the Carter administration's relations with Brazil began very badly"⁴³⁸ and that during the presidential campaign Jimmy Carter had sharply criticized Henry Kissinger and his decision to give full support to a military dictatorship.

The Brazilians were outraged for several reasons: the human rights report, the U.S. attempt not only to stop its nuclear program (interfering, again, in its domestic affairs), and "the way the United States went to Bonn, behind Rio's back" and not respecting the 1976 Memorandum of Understanding. Summarizing in a brilliant way the U.S. attitude toward Brazil in the four years, Gaddis Smith wrote:

"The administration struggled to undo the damage – without retreating entirely from its principles. Rosalynn

⁴³⁷ Crandall, Britta H. *"Hemispheric Giants"*, p.126.

⁴³⁸ Smith, Gaddis *"Morality, Reason and Power – American Diplomacy in the Carter Years"*, Hill and Wang, 1986, p.129.

Carter visited Rio in June 1977, Secretary Vance in November 1977 and President himself in March 1978. The United States stopped protesting the nuclear deal with Germany, and nothing strident was said [anymore] about human rights. Instead, the United States began to praise Brazil for its movement toward a more open political system".⁴³⁹

And, to use again Crandall's words:

"U.S. policy toward Brazil under the Carter administration was not marked by neglect; because Brazil was perceived as a nuclear problem, the State Department dedicated a lot of attention to Brazil. Policy makers and presidents alike expressed interest in Brazil and acknowledged it as a potential partner. This interest began to change in the late 1970s as more urgent issues trumped the peaceful –albeit potentially nuclear– Southern giant".⁴⁴⁰

Consequently, some questions inevitably arise: did Carter's human rights policy play an effective and active role in Brazil's political opening of the late 1970s? Did the human rights diplomacy act as one of the external factors that influence democratization processes, like the one Brazil had started to experience since 1974? Or, on the contrary, would Brazil have liberalized nevertheless, considering the political project that Ernesto Geisel had launched at the beginning of his government in March 1974?

⁴³⁹ Idem p. 130.

⁴⁴⁰ Crandall, Britta H. *"Hemispheric Giants"*, p.128.

By the end of 1977, Brazil had significantly improved its human rights record, and this result was probably due to its internal political efforts more than to foreign external pressures. Still, possibly an acceleration came because of the attention that the Carter administration suddenly paid to the Brazilian case. The outcry caused by the U.S. human rights report taught something to the Carter administration as well: that is to say that Brazil did not like at all any form of external pressure, interference, not even interest in its domestic affairs and that public accusation could cause a dangerous deterioration of diplomatic relations.

A further reflection follows about the centrality of the role played by the Congress and congressional actors that, before and with Carter and Derian, contributed to institutionalize human rights into United States foreign policy. As widely discussed at the beginning of this work, it was Congress, under the 1976 Foreign Military Assistance Act, that required the publication by the State Department of annual human rights reports for each state receiving military assistance from the U.S.

Stoyanov highlights this point:

“The inauguration of the Carter administration thus coincided with the height of Congressional activism on human rights. This fact often obscures the difference between the administration’s approach and actions and those of Congress. [...]”

In addition, the PRM on human rights, prepared for Carter in July 1977 offers further proof that the need to

assuage Congressional concerns on human rights abuses in Latin America played an important part in the Administration's actions".⁴⁴¹

The U.S. Congress was fundamental in shaping U.S. foreign policy in the late 1970s and was the first actor to make human rights become a binding legal and political factor. Since the end of WWII human rights had bloomed as new international discourse, and the Cold War made it become a new terrain of competition where the two superpowers could confront each other. In Carter's years, the United States approached the Cold War in a new way: ideology became the major field of competition, supplanting (or hoping to supplant) arms race and geopolitical rivalry. As Umberto Tulli highlights in a recent work, Carter's choice to develop and support the human rights policy did not mean that the U.S. president ignored the Cold War imperatives, promoting moralism in U.S. foreign affairs at the expense of power. Still, after the Vietnam war, military (and even more war) was not an option anymore and this awareness persuaded president Carter to adapt the Cold War imperatives to the new international context of the Seventies. Jimmy Carter rejected a static view of the bipolar confrontation and, inspired by Brzezinski's analysis of *détente*, according to

⁴⁴¹ Stoyanov, Stoyan *Moralism as Realism: Jimmy Carter's Human Rights Policies* Paper presented at the Annual Meeting of the Midwest Political Science Association, Chicago, April 9, 2005, pp.36-37: http://citation.allacademic.com/meta/p_mla_apo_research_citation/0/8/5/0/5/pages85057/p85057-1.php.

which the U.S. stance towards the USSR had to be more reciprocal, assertive and competitive, decided to use human rights as ideological tool to use in the bipolar opposition.⁴⁴²

Also Sarah Snyder shares this point of view, and she writes: “[...] In the aftermath of Vietnam, Carter’s support for human rights also could enhance American international prestige. [...] Carter’s focus on human rights [could be] important for the United States place in the world”.⁴⁴³ According to this interpretation, Carter’s human rights policy was part of a very pragmatic tactic aiming at demonstrating how praiseworthy the U.S. democratic system was and at beating up morally on the Soviet Union.

Samuel Moyn equally points out that “Carter’s leadership on human rights afforded not a substitute utopia but a sense of collective national recovery. It was the reestablishment of the country’s moral and missionary credentials in the world”.⁴⁴⁴ To do this, Jimmy Carter set up the human rights framework “for an overall sense of recovery of purpose from the errors of the whole Cold War era”.⁴⁴⁵ Human rights were a new dialectical means to use, not following “the erroneous principles and tactics of [U.S.]

⁴⁴² Tulli, Umberto *Tra Diritti Umani e Distensione – L’Amministrazione Carter e il Dissenso in URSS*, Franco Angeli Editore, Milano, 2013, pp.225-226.

⁴⁴³ Snyder, Sarah B. *Human Rights Activism and The End of the Cold War – A Transnational History of the Helsinki Network*, Cambridge University Press, New York, 2011, p.85.

⁴⁴⁴ Moyn, Samuel *cit.*, p.159.

⁴⁴⁵ Idem, p.160.

adversaries”⁴⁴⁶ anymore, and that allowed to bring the American values back in the international scenario.

Hence, a further reflection arises: did human rights play a role in the ending of the Cold War?

Rosemary Foot has investigated the topic, surprised by the fact that Cold War’s ending was “not only unexpected, but also unexpectedly peaceful”.⁴⁴⁷ According to Foot’s interpretation, human rights contributed to the Cold War’s end:

“The steadily growing association of human rights with legitimate rule challenged authoritarian governments. [...] The Helsinki process provided the means by which to express a common Western policy on rights, it acted as a focal point for domestic and trans-national activist pressure, [...]. It also showed the dominance of the discourse on civil and political rights over that of economic, social, and cultural concerns, a dominance that remains controversial”.⁴⁴⁸

Human rights were a discourse promoted by the Western hemisphere, but that actually were above any kind of ideological division.

To introduce the respect of the person and of its

⁴⁴⁶ Carter, Jimmy *University of Notre Dame – Address at Commencement Exercises at University*, May 22, 1977, PPPUS, available online at: <http://www.presidency.ucsb.edu/ws/?pid=7552>.

⁴⁴⁷ Foot, Rosemary *The Cold War and Human Rights* in Leffler, Melvin P. and Westad, Odd Arne (eds.) *The Cambridge History of the Cold War – Volume III Endings*, Cambridge University Press, 2010, pp.445-465. Quotation at p.446.

⁴⁴⁸ Foot, Rosemary *cit.*, pp.464-465

fundamental freedoms into the political international discourse was revolutionary and definitely farsighted, and much of the credit of this has to be attributed to Jimmy Carter's foreign policy. The credit of "elevat[ing] human rights to a policy of the state" belongs mostly to the Carter administration, which injected morality into international affairs. Moyn writes: "it was precisely the increasing role of human rights in Western social discourse, together with the collapse of alternative frameworks, which meant that practically all political concerns had to be reformulated in their terms and addressed by them".⁴⁴⁹ Once entered the political discourse in the 1970s, human rights have always remained of great importance in international relations. Jimmy Carter made human rights a discourse difficult (if not impossible) to set aside and made possible their evolution "from morality to politics", "from antipolitics to program".⁴⁵⁰ Even though his has been a one-mandate presidency, Jimmy Carter has given a definite change to international politics.

⁴⁴⁹ Moyn, Samuel *cit.*, p.223.

⁴⁵⁰ Idem, p.227 and p.225.

Bibliography

1) Articles:

- AVRITZER Leonardo, *Democratization and Changes in the Pattern of Association in Brazil*, Journal of Interamerican Studies and World Affairs, vol.42 n.3 (Autumn 2000), pp. v+59-76.
- COHEN Roberta, *Human Rights Diplomacy: The Carter Administration and The Southern Cone*, Human Rights Quarterly, vol.4 n.2 (Summer 1982), pp. 212-242.
- COHEN Stephen B., *Conditioning U.S. Security Assistance on Human Rights Practices*, The American Journal of International Law, vol. 76 n. 2 (Apr. 1982), pp. 246-279.
- DE NEUFVILLE Judith I., *Human Rights Reporting as a Policy Tool: An Examination of the State Department Country Reports*, Human Rights Quarterly, vol.8 n.4 (Nov. 1986), pp.681-699.
- FAGEN Richard R., *The Carter Administration and Latin America: Business as Usual?*, Foreign Affairs, vol.57 n.3, America and the World 1978 (1978), pp. 652-669.
- FRASER Donald, *Human Right and U.S. Foreign Policy: Some Basic Questions Regarding Principles and Practice*, International Studies Quarterly, vol.23 n.2, June 1979, pp. 174-185.
- KEYS Barbara, *Congress, Kissinger, and the Origins of Human Rights Diplomacy*, Diplomatic History, vol. 34 n. 5 (November 2010), pp. 823-851.
- LOWENTHAL Abraham F., *Latin America: A not-So-Special Relationship*, Foreign Policy, n.32 (Autumn 1978), Carnegie Endowment for International Peace, 1978;

- MITCHELL Neil J. and McCORMICK James M., *Economic and Political Explanations of Human Rights Violations*, World Politics, vol.40 n.4 (July 1988), pp. 476-498.
- POE Steven C., CAREY Sabine C. and VAZQUEZ Tanya C., *How Are These Pictures Different? A Quantitative Comparison of the US State Department and Amnesty International Human Rights Reports, 1976-1995*, Human Rights Quarterly, vol.23 n.3 (August 2001), pp. 650-677.
- POWER Timothy, *Carter, Human Rights and the Brazilian Military Regime: Revisiting the Diplomatic Crisis of 1977*, December 2005.
- ROMANO Angela *Détente, entente, or linkage? The Helsinki Conference on Security and Cooperation in Europe in U.S. relations with the Soviet Union*, Diplomatic History, vol.33 n.4, 2009, pp.703-722.
- ROSATI Jerel, *Continuity and Change in the Foreign Policy Beliefs of Political Leaders: Addressing the Controversy over the Carter Administration*, Political Psychology, vol. 9 n. 3 (Sep. 1988), pp. 471-505.
- SCHLESINGER Arthur Jr., *Human Rights and the American Tradition*, Foreign Affairs, vol.57 n.3, America and the World 1978 (1978), pp.503-526.
- SCHMIDLI William Michael, *Institutionalizing Human Rights in U.S. Foreign Policy: U.S.-Argentine Relations, 1976-1980*, Diplomatic History, vol.35 n.2 (April 2011), pp.351-377.
- SKIDMORE David, *Carter and the Failure of Foreign Policy Reform*, Political Science Quarterly, vol. 108 n. 4 (Winter 1993/1994), pp. 699-729.
- STEPAN Alfred, *The United States and Latin America: Vital Interests and the Instruments of Power*, Foreign

- Affairs, vol.58 n.3, America and the World 1979 (1979), pp. 659-692.
- STOYANOV Stoyan, *Moralism as Realism: Jimmy Carter's Human Rights Policies*, (available online at: http://www.allacademic.com/meta/p_mla_apa_research_citation/0/8/5/0/5/pages85057/p85057-1.php).
 - SYKKINK Kathryn *Human Rights, Principle-issued Networks, and Sovereignty in Latin America*, International Organization, Volume 43 Issue 3, June 1993, pp.411-441.
 - TULLI Umberto *Tra Diritti Umani e Distensione: L'amministrazione Carter, il Congresso e l'Unione Sovietica*, Contemporanea, a.XIII n.2, Aprile 2010, pp.261-284.
 - VOGELGESANG Sandy, *Diplomacy of Human Rights*, International Studies Quarterly, vol.23 n.2, June 1979, pp. 216-245.

2) Books:

A) General bibliography:

- GADDIS John L., *We Now Know: Rethinking Cold War History*, Oxford University Press, Oxford, 1997;
- HIRST Mônica, org., *Brasil-Estados Unidos na transição democrática*, Paz e Terra, São Paulo, 1985.
- LEFFLER Melvin P. – WESTAD Odd A. (eds.), *The Cambridge History of the Cold War – Volume III Endings*, Cambridge University Press, Cambridge, 2010.

- MOYN Samuel, *The Last Utopia – Human Rights in History*, The Belknap Press of Harvard University Press, Cambridge and London, 2010.
- ROMANO Angela *From Détente in Europe to European Détente – How the West Shaped the CSCE*, Brussels, P.I.E. Peter Lang s.a., 2009.
- SKIDMORE Thomas, *The Politics of Military Rule in Brazil, 1964-85*, Oxford University Press, New York, 1988.
- STRONG Robert, *Working in the world : Jimmy Carter and the making of American foreign policy*, Louisiana State University Press, Baton Rouge, 2000.

B) Specific bibliography:

- ADAM Elaine P. (ed.) *American Foreign Relations 1977 – A Documentary Record*, New York University Press, New York, 1979.
- BEETHAM David -ed.-, *Politics and Human Rights*, Blackwell Publishers, Oxford, 1995.
- BRZEZINSKI Zbigniew, *Power and Principle – Memoirs of the National Security Adviser 1977-1981*, Farrar Straus Giroux, New York, 1983.
- CARTER Jimmy, *White House Diary*, Farrar Straus Giroux, New York, 2010.
- CRANDALL Britta H., *Hemispheric Giants – The Misunderstood History of U.S.-Brazilian Relations*, Rowman & Littlefield Publishers, Plymouth, 2011.
- DAMICO John K. *From Civil Rights to Human Rights . The Career of Patricia Derian*, Ph.D. Thesis, Mississippi State University, December 1999.

- DEL PERO Mario, *The Eccentric Realist – Henry Kissinger and the Shaping of American Foreign Policy*, Cornell University Press, Ithaca and London, 2010.
- DE GÓES Walder, *O Brasil do Geisel*, Editora Nova Fronteira, Rio de Janeiro, 1978.
- DUMBRELL John, *American Foreign Policy – Carter to Clinton*, MacMillan Press LTD, Houndsmills, Basingstoke, Hampshire and London, 1997.
- FORSYTHE David P., *Human Rights in International Relations*, Cambridge University Press, New York, 2nd ed., 2006.
- GRIESGRABER Jo Marie, *Implementation by the Carter Administration of Human Rights Legislation Affecting Latin America*, Ph.D. dissertation, Georgetown University, 1983.
- HIRST Monica, *The United States and Brazil – A long road of unmet expectations*, Routledge, New York and London, 2005.
- MURAVCHIK Joshua, *The Uncertain Crusade: Jimmy Carter and the Dilemmas of the Human Rights Policy*, Hamilton Press, Lanham, 1986.
- NEWSOM David D. (ed.) *The Diplomacy of Human Rights*, University Press of America, Lanham, 2005.
- SCHULTZ Lars, *Human Rights and United States Foreign Policy toward Latin America*, Princeton University Press, Princeton, 1981.
- SIKKINK Kathryn, *Mixed Signals – U.S. Human Rights Policy and Latin America*, The Century Foundation, Cornell University Press, 2004.
- SKIDMORE David, *Reversing Course – Carter's foreign policy, domestic policy, and the failure of reform*, Vanderbilt University Press, Nashville and London, 1996.

- SNYDER Sarah B., *Human Rights Activism and The End of the Cold War – A Transnational History of the Helsinki Network*, Cambridge University Press, New York, 2011.
- SPEKTOR Matias, *Equivocal Engagement: Kissinger, Silveira and the politics of US-Brazil relations (1969-1983)*, Ph.D. Thesis, 2006.
- SPEKTOR Matias, *Kissinger e o Brasil*, Jorge Zahar Editor, Rio de Janeiro, 2009.
- STUCKEY Mary E., *Jimmy Carter, Human Rights and the National Agenda*, Texas A&M University Press, 2008.
- THOMAS Daniel C., *The Helsinki Effect – International Norms, Human Rights, and the Demise of Communism*, Princeton University Press, Princeton and Oxford, 2001.
- TULLI Umberto, *Tra Diritti Umani e Distensione – L'Amministrazione Carter e il Dissenso in URSS*, Franco Angeli Editore, Milano, 2013.

3) Primary sources

- NATIONAL ARCHIVES AND RECORDS ADMINISTRATION (Washington D.C.)
 - RG 59 – A1 1589 – Records Relating to Major Publications 1949-1990 – “Records of the Department of State” (Boxes n. 6, 7, 8, 11, 12, 14, 15, 115)

- RG 59 – A1 5510 – General Records of the Department of State – Office of the Deputy Secretary, Office of the Coordinator for Humanitarian Affairs, Office of the Deputy Coordinator for Human Rights – Human Rights Subject Files 1975 (Boxes n. 1, 2, 4, 5)
- RG 59 – P 9 – Records of Anthony Lake “Policy and Planning Staff/Office of the Director” (Boxes n. 1, 2, 3, 4, 5, 6, 7, 8, 9, 13, 14, 15, 17, 18,)
- RG 59 – P 10 – Subject Files of Edmund S. Muskie 1963-1981 (Boxes n. 1, 2, 3, 4)
- RG 59 – P 14 – Records of Deputy Secretary Warren Christopher (Boxes n. 2, 3, 4, 5, 16, 17, 18, 19, 20, 21, 22, 25, 27, 28, 30, 31, 32, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 51, 53, 55, 58, 59, 60)
- JIMMY CARTER LIBRARY (Atlanta, GA)
 - White House Central File – Subject File Human Rights (Boxes n. HU17, HU18)
 - White House Central File – Trips (Box n. TR-14, TR-17, TR-25)
 - White House Central File – Public Relations (Box n. PR-50)
 - White House Central File – President (Boxes n. PP-3, PP-78)
 - White House Central File – Foreign Affairs (Boxes n. FO-3, FO-37)
 - White House Central File – Federal Government-Organizations (Boxes n. FG-6, FG-25, FG-26, FG-27, FG-28, FG-29, FG-38)
 - White House Central File – Countries (Box n. CO-11)

- White House Central File – Name File “Arns, Paulo Evaristo (Cardinal)” (Open on May 5, 2011)
- National Security Affairs (Collection #24) – Staff Material – North/South – Pastor Country File (Boxes n. 2, 3)
- National Security Affairs (Collection #6) – Brzezinski Material – Country File (Box n. 6)
- National Security Affairs (Collection #7) – Brzezinski Material – Subject File (Boxes n. 29, 32, 33)
- National Security Affairs (Collection #14) – Brzezinski Material – Public and Congressional Correspondence File (Box n. 1)
- White House Central File – Subject File Messages (Box n. ME-12)
- White House Central File – Subject File Countries (Box n. CO13)
- Vertical File (Boxes n. 6, 20, 65, 66)
- Staff Offices – Office of Staff Secretary Handwriting file (Boxes n. 17, 26, 27, 39, 56, 122, 150)
- Donated Historical Material – Zbigniew Brzezinski Collection – Subject File (Boxes n. 33, 34, 41, 42)
- 1976 Presidential Campaign Press Office – Betty Rainwater Subject Files (Box n. 376)
- 1976 Presidential Campaign Press Office – Noel Sterrett Clippings – Foreign Issues (Box n. 138)
- Records of the First Lady’s Office – Rita Merthan’s Trip Files (Boxes n. 1, 2)
- Records of the First Lady’s Office – Mary Hoyt’s Foreign Trips Files -Press- (Box n. 25)
- Carter Presidential Papers – First Lady’s Office – Scheduling Office – Fenderson – Foreign Trip File (Boxes n. 21, 22)

- Rosalynn Carter's Special Projects and Events Files (Boxes n.124, 125)
- Staff Offices – Speechwriters – Subjects File (Box n. 12)
- Chief of Staff – Jordan (Box n. 34B)
- Chief of Staff – Butler (Box n. 101)
- Staff Offices – Press – Powell (Box n. 63)
- Office of Public Liaison – Costanza (Boxes n. 4, 53, 54, 100)
- Staff Offices – Domestic Policy Staff – Eizenstat (Boxes n. 2, 20)
- Jody Powell Papers – Subject Files (Donated) (Box n. 43)
- Office of Congressional Liaison – Bourdeaux (Boxes n. 105, 109)
- Staff Offices – Counsel – Cutler (Box n. 100)
- Staff Offices – Counsel – McKenna (Box n. 132)
- Staff Offices – Counsel – Lipshutz (Boxes n. 18, 19)
- Staff Offices – Special Assistant to the President – Torres (Box n. 13)
- Staff Office – Council of Economic Advisor – Charles L. Schulte's Subject Files (Box n. 29)
- Staff Offices – Office of Staff Secretary – Handwriting file (Box n. 32)
- Staff Offices – Press (Advance) – Office File (Box n. 11)
- Staff Offices – Press (Advance) – Anne Edwards (Boxes n. 2, 19, 21)
- Staff Offices – Press Granum (Box n. 103)
- President's Personal Foreign Affairs File – Plains File (Box n. 1)

- Donated Material Paperd of Walter Mondale (Collection #133) (Boxes n. 1, 2, 3, 4)
 - Jimmy Carter Pre-Presidential – 1976 Presidential Campaign Issues Office – Noel Sterrett Clippings – Foreign Issues (Box n. 138)
 - Jimmy Carter Pre-Presidential – 1976 Presidential Campaign Issues Office – Press Office – Betty Rainwater Subject Files (Box n. 376)

- CENTRO DE PESQUISA E DOCUMENTAÇÃO/FUNDAÇÃO GETULIO VARGAS (RIO DE JANEIRO)
 - AAS mre be 1976.00.00
 - AAS mre be 1977.06.01
 - AAS mre be 1977.01.27
 - AAS mre d 1974.03.26
 - AAS mre d 1974.04.23