THE INTERNATIONAL LEAGUE FOR HUMAN RIGHTS: THE STRATEGY OF A HUMAN RIGHTS NGO*

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I. INTRODUCTION

The year 1976 was not only the Bicentennial Celebration of the United States of America. In certain respects, the year also marked the celebration of effective demands for human dignity—demands sharply articulated during the American and French Revolutions and still reverberating. Thus,

1. In September 1976, 102 incumbent members of the United States Congress—almost one-fifth—promulgated a "manifesto" timed for the Presidential election calling upon all candidates for public office to support the revision of United States foreign policy in such a manner as to grant priority to human rights.1

2. During 1976, Congressman Donald M. Fraser's (D.-Minn.) House Subcommittee on International Organizations completed some 40 separate hearings on the status of human rights in 18 different nations.2

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2 With respect to Congressional review of the human rights situation in countries which receive American military and economic assistance, late in 1976, Senate and House foreign policy subcommittees requested the State Department to provide confidential United States Embassy assessments and other State Department documents on the human rights practices of some 19 nations. Senator Hubert H. Humphrey, Chairman of the Foreign Relations Subcommittee on Foreign Assistance, sought such information on the following nations: Argentina, Brazil, Chile, Uruguay, and Paraguay; South Korea, Indonesia and the Philippines; Iran; Ethiopia, Nigeria, Mozambique and Zaire; India, Pakistan and Bangladesh; and Spain. Representative Donald M. Fraser, Chairman of the International Relations Subcommittee on International Organizations, is reported to have asked for similar State Department assess-
3. In 1976, the State Department created an Office of Humanitarian Affairs at the staff level, and appointed human rights officers to State Department area desks. Reportedly, consideration was also being given to the devolution of organizational concern for human rights down to the embassy level, with the appointment of in-country human rights officers.

4. This same Bicentennial year, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights (and its Optional Protocol) entered into force.

5. Between mid-1974 and the end of 1976, the United States membership in Amnesty International (AI) (an international human rights organization dedicated to the release of political prisoners) grew from approximately 3,000 to 50,000.

6. In September 1976, in an attempt to reconcile Western and Third World conceptualizations of human rights, the International Commission of Jurists (another international human rights organization, dedicated to upholding the rule of law), with the cosponsorship of President Julius Nyerere of Tanzania, held a five-day seminar in Dar-es-Salaam on "Human Rights, Their Protection and the Rule of Law in One-Party States."

7. A further recent development with respect to nongovernmental organizations (NGOs) was the creation of the Lawyers Committee for International Human Rights, a joint undertaking of the International League for Human Rights and the Council of New York Law Associates. The Lawyers Committee is a public interest lawyers' organization interested in the development of case law including "class action" intervention doctrines for the protection of international human rights.

8. In March 1976, human rights panels at the International Studies Association generated enough interest to stimulate the creation of an "internet" on international human rights, with a Newsletter linking activists and scholars."
9. In October 1976, the Ford Foundation Newsletter noted:
"In more countries than is generally realized, torture and repression have become routine facts of life. Actors are arrested for performing controversial plays; universities are closed and scholars are expelled; scientists with unorthodox views are declared mentally ill; dissident journalists and student leaders are killed during police interrogation. . . . As grim acts multiply, the issues of human rights and intellectual freedom assume an urgent importance. The subject is a complex one involving not only the protection of basic human rights and free expression of ideas, but also a deeper understanding of the social processes that nurture or suppress freedom."

Hence, the Ford Foundation appropriated $500,000 for a program intended to strengthen nongovernmental organizations working in the field. Among the first grants awarded were funds for an internship program to aid human rights NGOs administered by the University of Minnesota, a grant to the International Commission of Jurists for its Tanzania seminar, and support for the Index on Censorship, which researches media censorship and publishes the works of banned authors.  

10. Finally, in January of 1977, President Jimmy Carter in his Inaugural Address mentioned human rights three times.

From the perspective of social scientists, a major issue posed by these facts is that of substance or shadow: that is, do these facts represent genuine growth in valuation of human dignity or do they merely reflect the trendy, fadistic, "radical chic" of American liberals? Stated differently, are human rights finally high on the agenda of public and private policy-makers and likely to be an enduring feature of United States politics?

While it is obvious that only a social historian can analyze this question with some finality and after the lapse of sufficient time, nonetheless the attempt at analysis now is important for two reasons: first, it can help to clarify our understanding of processes of social and political change; and secondly, there is an intended by-product of appraising alternative strategies for those dedicated to the pursuit of a humane international order. Therefore, this article is an initial response to the issue of substance or shadow.

A case study of the International League for Human Rights

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(ILHR)—the oldest of the political interest groups devoted to the protection of international human rights—will be used in order to explore some dimensions of the apparent increased political salience of these values. Although it is probably less well known than either Amnesty International or the International Commission of Jurists, the other two major human rights NGOs, nevertheless the ILHR is distinct from (as well as older than) those two organizations in that it is uniquely devoted to the full range of human rights. While Amnesty International is concerned primarily with political prisoners and torture and the International Commission of Jurists cuts into the human rights field through its dedication to the rule of law, the International League takes the Universal Declaration of Human Rights, in its entirety, as its platform.

The League is now 34 years old and for most of its existence has confined its activities to international lawmaking with the United Nations as its most prominent arena. However, in the last few years, accelerating changes in the human rights field have forced the League to search for new strategies through which it could become both more relevant and more efficient. These strategies are examined below.

II. HISTORICAL ORIGINS

The International League for Human Rights traces its origins to a French citizens’ league created to monitor and criticize actions of the French government; that is, it was a response to the Dreyfus case, French antisemitism, an especially Émile Zola’s famous literary protest couched in the natural law prose of Tom Paine and the French Revolution. This Ligue Française pour la Défense des Droits de L’Homme et du Citoyen early became a general civil libertarian association, and grew rapidly from its inception in 1902 until its peak just prior to World War I, at which point it claimed somewhere between 200,000 and 300,000 French members (somewhat larger than the American Civil Liberties Union in the mid-1970’s). The French Ligue also encouraged the formation of similar organizations

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8 Formerly the International League for the Rights of Man; the organization formally changed its name in March 1976.


elsewhere in Europe (e.g., Germany, Spain, Portugal, but not the U.K.) and in the French colonial possessions (e.g., Tonkin, Martinique, and French Guiana), which were loosely affiliated through an international federation founded in 1922—the Federation Internationale des Droits de L'Homme.

Roger Nash Baldwin, a major founder of the American Civil Liberties Union (ACLU) (as the National Bureau on Civil Liberties in 1919), was in Paris in 1927 and was permitted to sit on the Central Committee of the French League as a foreign observer. Throughout the interwar period, Baldwin maintained his interest in and contacts with the organization and, when World War II effectively destroyed the League by dispersing many of its members, Baldwin encouraged the reconstitution of the group by French émigrés. Thus, in 1942, the International League for the Rights of Man was incorporated under the laws of New York State, though it continued to conduct all proceedings in French. Among the key refounders were the following: Henri Laugier, Director of Cultural Relations in DeGaulle's wartime government, the man who played a key role in organizing the departure of scientists from Nazi-occupied France, and subsequently United Nations Assistant Secretary General for Social Affairs; Henri Bonnet, formerly French ambassador to the United States; Charles Malik, formerly Foreign Minister of Lebanon and subsequently Chairman of the U.N. Commission on Human Rights; Boris M. Gutzevitch, a Russian naturalized in France who was close to the Secretary General of the U.N. and edited the U.N. Yearbook; Max Beer, a German Jewish refugee and major correspondent at the United Nations, chairman of the U.N. journalists; and other European refugees.11

The reconstitution of the League was auspicious in that it occurred in the wake of the declaration of Roosevelt's "Four Freedoms" in January 1941,12 the Roosevelt/Churchill Atlantic Charter

11 Information concerning the League's early years is based on an interview with Roger Nash Baldwin, Dec. 1976, New York. See also P. Lamson, Roger Baldwin—Founder of the American Civil Liberties Union: A Portrait (1976).

12 The first is freedom of speech and expression—everywhere in the world.
   The second is freedom of every person to worship God in his own way—everywhere in the world.
   The third is freedom from want—which, translated into world terms, means economic understandings which will secure to every nation a healthy peacetime life for its inhabitants—everywhere in the world.
   The fourth is freedom from fear—which, translated into world terms, means a
promise of a new international "structure of peace" emerging from the final destruction of Naziism, and the January 1942 United Nations Declaration, whereby 26 countries pledged themselves to re-establish a collective security organization. And, indeed, from the outset, the International League—headquartered in New York—regarded the United Nations as the principal arena for its interests and energies. Its initial efforts were directed to ensuring that the United Nations Charter explicitly recognized the relation of international human rights to world peace. League members, working in cooperation with representatives of other similarly concerned NGOs, "lobbied" the Dumbarton Oaks and San Francisco delegations in this cause. Encouraged by its early successes—the U.N. Charter contains seven specific references to human rights; a Commission on Human Rights was established which assumed as its first task the drafting of the Universal Declaration of Human Rights; and prominent Americans, such as Eleanor Roosevelt, lent their support to the human rights cause—and by Baldwin's inspirational faith in the world forum, the League continued its focus on positive lawmaking and the United Nations for close to 30 years.

In the 1950's, and especially in the 1960's, the League considered the decolonization process as a crucial aspect of the human rights struggle and championed the independence of Afro-Asian states. With consultative standing in the Economic and Social Council (ECOSOC) of the United Nations as well as in the ILO and UNESCO, the League closely monitored human rights developments in the U.N. chambers and discreetly pressured for the adoption of pro-human rights declarations and covenants. While it is not possible, given the current state of development of the social sciences, to quantify separately the impact of the League when it and a multiplicity of other forces (e.g., other human rights NGOs, national governments, international governmental organizations, insurgency movements, etc.) are all working for the same objective, nevertheless it is evident that the League has been a prime mover in international lawmaking with regard to human rights. Its accom-
plishments during these decades were solid and substantial. Indeed, one can conclude that the efforts of the League, taken together with the efforts of others working for the codification of international human rights law, were sufficiently successful and exhaustive so that the organization now finds itself in a paradoxical position: it has accomplished its original objectives, yet human rights remain threatened throughout the world. That is to say, little or nothing can be accomplished through further positive lawmaking on the subject; the issue today is the problem of effective implementation. However, prior to more detailed examination of "problematic success," it is necessary to analyze some of the structural characteristics of the organization.

III. ANATOMY OF THE LEAGUE

A political interest group may be usefully analyzed in several different ways: it is a formal organization but also a set of informal interactions among persons; it is an enunciated ideology and operational code with regard to strategy and tactics; it is a relationship between leadership and membership; and it is a set of activities which social scientists seek to describe accurately and evaluate with regard to impact.

The International League for Human Rights is a nongovernmental, nonpartisan political organization; it has never knowingly received money from any government, nor has any government funded its projects. Supported wholly through voluntary contributions, the League has essentially two categories of members: contributing members numbering about 2,000, each of whom pays an annual $10 membership fee; and affiliate members, human rights groups around the world (of which there are now 38) whose affilia-

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13 The authors have not done an indepth study of the League's history. However, a student interested in undertaking such an historical study will find all of the League's papers (documents, reports, correspondence, etc.) deposited in the New York City Library.

14 Information about the structure and current activities of the International League has been derived from a number of sources: interviews with the League's Executive Director, Robert Cohen, and the League's Chairman, Jerome J. Shestack, December 1976, New York, and earlier written and oral communications with them; Annual Reports of the League; Minutes of the League's Board of Directors; the League Bulletin; and special reports and press releases of the organization. Brief descriptions of the ILHR are also found in Archer, Action by Unofficial Organizations on Human Rights, in The International Protection of Human Rights 160 (E. Luard ed. 1967); Stewart, The International League for the Rights of Man, 1975 Index on Censorship (No. 1) 61.
tion with the League has been approved by the ILHR's Board of Directors, and which may, though not so obliged, financially support League activities. Until the late 1960's, the League operated on a tiny budget—$15,000 in 1967—and it was only after it received a bequest of $100,000 the following year that the League hired a full time Executive Director and expanded its budget to $40,000.15

In many respects, the ILHR was initially patterned on the model of the early ACLU. Both organizations were, of course, strongly influenced by the dynamic personality of Roger Nash Baldwin. The ACLU was deliberately created and maintained—at least until after World War II—as a small, private, informally-organized staff organization. This accorded with Roger Baldwin's social philosophy and operational ideology, drawn from 19th century concepts of noblesse oblige and private charitable service, influenced no doubt by Baldwin's early career as a social worker in St. Louis. Recruitment was mainly by an "old boy" network of those known to and trusted by those already in the organization. The emphasis was on discreet and indirect political action, through an exclusive focus on and single-minded faith in the efficacy of the federal judicial process. "Members" existed solely to supply financial contributions to sustain the professional activities of the legal staff. In like manner, the League was also maintained as a small, private, very informally-organized and almost "social" group.

This early form that the ILHR assumed has both advantages and disadvantages. As to the former, the method of recruitment ensures that an underlying consensus is built into the organization. This minimization of conflict (both between leadership and membership and within the leadership elite) permits organizational flexibility and speed in decision making. However, a political interest group based upon this model suffers important disabilities, the main one being lack of resources. That is, to be effective, an interest group generally requires either mass membership or money, which often can serve as a substitute for sheer numbers. Influence may, of course, derive from the skills and high status of the membership which in fact were the resources with which the early League achieved its positive lawmaking successes. Yet these resources can

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15 Currently, the League operates with a regular budget of about $50,000. Exceptional expenses—e.g., to send League observers on foreign missions—are covered by special fundraising events.
carry a group only so far. If our assessment is correct—that the problem of human rights has shifted away from legislation to the sphere of implementation, and if national governments are the key to solving the problem of implementation, i.e., in the last analysis, human rights are protected or violated by national legislation and the behavior of national elites"—then a political group which consciously remains small, informal, and private forfeits the opportunity for maximal political effectiveness. It is precisely this problem that the League began to confront in the late 1960's with the expansion of its budget, the appointment of fulltime paid staff, the numerical increase and elaboration of its Board of Directors and its International Advisory Committee, and experimentation with new strategies of action.

In terms of anatomical structure, there is a unique feature to the International League which has significantly conditioned the search for relevant and effective strategies. In contradistinction to other human rights NGOs, at one level, the League is a confederation of functioning national civil libertarian organizations. Very much in keeping with the ideology of the old French Ligue, the ILHR, reconstituted in the United States, sought a similar role in organization-building. Thus, Baldwin's desire to create civil liberties interest groups (patterned on the ACLU model) abroad was readily manifested in League activities; Baldwin personally helped establish such groups in Japan, Germany and Korea after World War II, with the support of the United States government. And, over the thirty-odd years of its existence, the international quality of the League has derived not merely from its objective in elaborating a corpus of international human rights law, but especially from its aspiration to help create and sustain functioning effective civil liberties organizations in national societies. Therefore, League affiliates are not just chapters or sections of the League in diverse countries; the 38 League affiliates are,at least theoretically, established civil liber-

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17 The number of affiliates is constantly in flux as some groups die out or are repressed by political regimes, others emerge and seek League affiliation, or occasionally a group may be disaffiliated by the ILHR. For example, in recent years, the League disaffiliated an Israeli
ties groups working for the furtherance of human rights in their own societies. League support for these affiliates is a clear reflection of its belief that the principal protection of human rights must come through the effective implementation of national law, i.e., national legislation must be brought into line with international human rights standards.

Theory and practice are not always, of course, consonant, and an examination of the League's affiliates raises questions about organizational ideology and rhetoric. The League affiliates constitute something of a "hodge-podge" of diverse groups and diverse relations with the ILHR. A few—like the ACLU, the Irish Association of Civil Liberty, or the Canadian Civil Liberties Association—clearly fit the criteria of nongovernmental, human rights, activist organizations oriented towards extending and protecting civil liberties in their own countries; but others are less clearly so categorized. For example, two United States-based affiliates, the American Committee on Africa and the Inter-American Association for Democracy and Freedom, are oriented to human rights problems abroad, rather than at home. So, too, are the Minority Rights Group or the Anti-Slavery Society (both London based) which one would characterize more as research operations than activist associations. Similarly, the Center for Civil Rights of the University of Notre Dame is better understood as an academic clearing house rather than on a par with the Bangladesh Human Rights Society. In considering the latter association it is not entirely clear whether there is an effective membership organization behind the letterhead.

The problem of the League's affiliates can be approached from a somewhat different angle. If one considers their geographic distribution, there is a highly skewed representation: 8 are North American (seven based in the United States); 12 are West European; only two—a Mexican and a Jamaican group—are Latin American; only two—a South African and a Mauritian group—are African, certainly not a representative African sample; there is only one Middle
Eastern group, the International League for the Rights of Man in the Hashemite Kingdom of Jordan; and the Asian groups—in New Zealand, Hong Kong, Japan, Okinawa, South Korea, Bangladesh and Pakistan—are largely in the Western capitalist sphere. There is only one League affiliate from the Communist world, the Moscow Human Rights Committee, a group whose special relationship with the League will be explored below. What this implies, at least indirectly, is that the League has not been highly successful in its early objective of trying to stimulate the creation of civil liberties groups abroad.

Hence, to explain the Western bias in both the geographic and political regime distribution of its affiliates, the League must admit that few nongovernmental human rights groups exist in either Third World or Communist World countries. Sometimes they exist as opposition groups in exile, but the League has understandably been reluctant to affiliate such groups for fear that they will draw the League directly into the partisan politics of other states. Hence, even relaxing the criteria for affiliate status—and, of course, it should be noted that the League does not possess any investigatory means for testing whether applicant groups really are nongovernmental, actively functioning, and pro-human rights—the biases in League affiliates are glaring. Perhaps what this reflects most clearly is the difficulty the League has faced in trying to be both an American organization and an international coalition. Outside Western or Western-oriented countries, interest group structures have not been elaborated in the American fashion. This is, to some extent, compensated for by an informal mechanism whereby the League accepts “correspondents” in countries where it does not have affiliates. However, while “correspondents” may provide the League with access to information on events and developments in “closed” societies, this is not the same as having an organizational affiliate link.

One final point should be here noted about the League structure. In the League’s Annual Report, in its statements and special studies, and in the composition of its Board of Directors and International Advisory Committee, the League could generally be characterized as Western/“liberal” in terms of ideology. Neither its membership nor its officers reflect a single partisan political philosophy or a single professional occupational category, although both its membership and support clearly derive from the educated, scientific/professional/artistic middle and upper strata of society, with the time and discretionary income to devote to international poli-
tics. While the League frequently takes up the cause of "the oppressed masses"—the plight of the Ache Indians of Paraguay, self-determination and racial justice for the Namibians, the Zimbabweans and the South Africans, the cause of political prisoners in Indonesia, Iran or India—the League is itself an elite organization. It is neither "mass membership" nor does it seek to be a radical leader of the mass. Additionally, while the effect of the League's successful interventions is to preserve the possibility for the emergence of a genuine counter elite, the League itself is not that counter elite.

18 Indeed, a more detailed analysis of the membership, and especially the affiliates of the League would reveal few "radicals" and a relatively high tolerance of a "conservative" pro-human rights position. For example, while the League's Board of Directors took a clear position not to endorse the report of Frances R. Grant—Secretary General of the League's affiliate, the Inter-American Association for Democracy and Freedom, (IADF) and for many years a League Board member—following her visit to Chile 2 months after the overthrow of President Allende, the Board made no effort to dissuade Ms. Grant from publishing the substance of the report in the editorials of Hemispherica. Those editorials in the organ of the IADF made the incredible argument that the military in Chile had acted to overthrow Allende only as a last resort to forestall an armed invasion/internal putsch by Castroite extremist forces: the "Z" plan! That is, Allende is alleged by Frances Grant to have had a secret army—"massive para-military cohorts, both Chilean and the approximately 13,000 foreign recruits"—and to have secretly smuggled in and hidden vast caches of arms—"calculated as sufficient to equip a force of 30,000." Grant further alleged that news of violations of human rights in the Chile of the junta seemed little more than "massive propaganda which was being circulated worldwide, in great part by the advocates of the Allende government;" that while she could not speak for the period immediately following the overthrow, "for the period of my own testimony, I must refute the stories of peremptory killings and arrests; burnings of books; freedom of movement." Moreover, with respect to alleged earlier atrocities, "I have never been able to get confirming evidence, either from the journalists who had sent the stories, or from such prestigious international organizations as . . . the International Red Cross, the U.N. High Commissioner of Refugees, the religious rescue organizations of every denomination." See 22 HEMISPHERICA (Nos. 9, 10) (1973). Only in February 1974 did Frances Grant, along with others in the United States Committee of IADF, "deplore the establishment of a de facto military regime in Chile." See 23 HEMISPHERICA (No. 2) (1974). Yet the International League saw no reason for disaffiliating the Inter-American Association for Democracy and Freedom.

In like manner, the ILHR is currently considering the possibility of affiliation for Freedom House, an organization whose "Comparative Survey of Freedom" program, instituted in 1972 "to monitor the status of freedom in the nations of the world on an objective basis," would place it on the ultra-right end of the political spectrum (emphasis added). That is, its mindless use of quantitative indicators leads one to such an ultra-right conclusion, as there is greater enjoyment of political and civil rights in the Republic of South Africa than there is in Tanzania, Mozambique, Guinea-Bissau—indeed, than in most black African states. The United States is, of course, in the "most free" rank while China and Cuba are in the "least free." See Gastril, The Comparative Survey of Freedom—VI, FREEDOM AT ISSUE, Jan.-Feb. 1976, at 11.
IV. FAILURE OF HOPE: THE ILHR AND THE UNITED NATIONS

In the 1973 Annual Report of the International League, its present Chairman, Jerome J. Shestack, assessed the first 25 years experience with the Universal Declaration in the following sombre terms.

At the U.N., the Commission on Human Rights has shown an inability to deal effectively, indeed, deal at all with human rights violations. Egregious complaints from individuals and groups have been ignored for political reasons. No effective action has been taken on such vital matters as religious intolerance, the repression of freedom of expression, freedom of movement, the rights of non-citizens, abuse of the administration of justice. Non-governmental organizations are frustrated and even harassed in their efforts to redress these violations before the U.N.18

Against this background, the League began a reassessment of its primary strategy of focusing on the U.N. as its main political arena. Disillusionment with the United Nations derived from several concrete sources. One was the fact that, despite considerable NGO pressure, the United Nations Commission on Human Rights (which, together with its Sub-Commission on the Prevention of Discrimination and the Protection of Minorities, is the focal human rights body of the U.N.) has, thus far, failed to make effective use of the procedures established in 1970 by ECOSOC Resolution 150320 for reviewing situations which reveal a consistent pattern of gross and reliably attested violations of human rights. Throughout the 1950's and much of the 1960's, the International League lived with the incredible situation arising from the decision of the Commission, at its very first sessions in 1947, that neither it nor its Sub-Commission had power to take any action in regard to any compliance concerning human rights in the expectation that it could help effect a change in the status quo. And, indeed, in 1966-67, the Commission began retreating from this self-abnegating position. The breakthrough came, first, with respect to southern Africa: ECOSOC, which sets the mandate of the Commission, decided in 1967 that both the Commission and its Sub-Commission could “in appropriate cases, . . . make a thorough study of situations which reveal a consistent pattern of violations of human rights, as exemplified by the policy

18 INTERNATIONAL LEAGUE FOR HUMAN RIGHTS, 1973 ANNUAL REPORT 1.
of apartheid as practised in [South Africa and Namibia]."

Then, in May 1970, the power of the Commission to investigate situations "which appear to reveal a consistent pattern of gross and reliably attested violations of human rights and fundamental freedoms" was generalized by ECOSOC Resolution 1503, and provisional rules were subsequently established for dealing with the question of the admissibility of complaints. Yet all these efforts have proven to be rather empty legal exercises. Since the passage of Resolution 1503, not a single case of gross human rights violations has made it through the procedural labyrinth to reach the stage of open discussion and recommendation by the Commission. As of this date, the only cases of gross violations to be treated by the United Nations remaining are southern Africa, Chile, and Israel's treatment of persons in the Occupied Territories—and none of these has come through 1503 channels.

At about this same time, it became evident that the United Nations Human Rights Commission—toothless as it was with regard to its presumed primary function—was not without power to sanction effectively human rights NGOs themselves. This practical demonstration occurred in 1974-75 and concerned the manner in which NGOs could present information on alleged violations in conformance with their consultative status with the ECOSOC. Consultative status, Category B—which the League and other human rights NGOs have—is bestowed on organizations which have particular competence in, and are concerned specifically with, a limited segment of the ECOSOC's work. The status permits NGOs to send observers to public meetings, submit memoranda, and make oral statements to such bodies as the Commission and Sub-

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Until recently, the ECOSOC did not clearly enunciate its rules of parliamentary order, but convention and habit ensured that NGOs would "address" the issues of violations of human rights and their violators with circumlocutions, euphemisms, and evasions. In February 1974, however, the unwritten rule against "naming names" was broken when Mrs. Salvadore Allende, widow of the slain Chilean President, was invited to address the United Nations Commission on Human Rights. She spoke as a representative of the Women's International Democratic Federation, an organization headquartered in East Berlin. In a highly emotional tone, Mrs. Allende gave a detailed description of the low status of human rights in Chile under Pinochet, asking the Commission to condemn the military junta for "genocidal repression." No one interrupted Mrs. Allende to object or invoke a Roberts-type rule calling her to order. Observing this, Dr. Homer A. Jack, representing the World Conference on Religion and Peace (WCRP), seized upon the opportunity to present a "state of the world"/human rights status report, with empirical detail about victims and violators. The following day, Professor Frank C. Newman from Amnesty International made very detailed charges about torture in Chile.

Moreover, a few months later—in May 1974—the executive director of yet another human rights NGO, Niall MacDermot of the International Commission of Jurists, wrote an article for a special human rights section of the London Times in which he similarly violated the nation-protecting diplomatic protocol. Specifically, MacDermot dealt with real-world, real-time events, regimes and peoples by discussing the eight cases of consistent patterns of gross violations then under investigation by the Working Group of the Commission on Human Rights. The culmination of this series of NGO "indiscretions" came at the 31st session of the U.N. Commission on Human Rights in Geneva in February 1975. At that meeting, Dr. Homer Jack of the WCRP spoke out forcefully once again, this time addressing the question of religious persecution. He spoke of

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28 The Times (London), May 21, 1974 (12 page special report).
the disappointment "to the point of disillusionment" at the continued lack of progress in elaborating a convention against religious intolerance, and proceeded with an inventory of denials of religious freedom in a plethora of states.29

The nationalist reaction was self-righteously defensive and strong; the NGOs had no right to speak thusly to powers of the world. Immediately after Jack's delivery, five members of the Commission (Egypt, Pakistan, Soviet Union, Turkey and Zaire) and two observer states (Philippines and Syria) exerted their right of reply, claiming that Jack's statements about their states were untrue or slanderous or biased.30 Subsequently, the Egyptian delegate put on record the following amplification:

We are extremely concerned about the abuse of freedom of speech practiced by some representatives of nongovernmental organizations. This particular statement recently delivered by the World Conference on Religion and Peace should not appear in the summary records of this Commission. Indeed, its status should be re-studied by the Economic and Social Council. During the past two sessions this organization has made such statements. Their status should be reconsidered in accordance with ECOSOC Resolution 1296 (XLIV). [This resolution relates to arrangements for NGO consultative status.]

Then, in private session, the Commission on Human Rights requested the ECOSOC to take measures that would impose severe restrictions on the nature of NGO communications about human rights violations, whether those communications were to the U.N. or in the form of public statements. Consequently, the ECOSOC was to lay down the rules: when NGOs made complaints or allegations of human rights violations, such statements were to be dealt with "not under the rules of consultative status but under the decisions concerning the inclusion of such material in confidential lists of communications prepared for the Commission on Human Rights ... ."32 Therefore, with respect both to their own complaints and other information they became aware of as a result of their partici-

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30 Id. at 5-7.
31 Id. at 7.
pation in U.N. deliberations, NGOs could not publicly disclose this material unless and until the Human Rights Commission made a recommendation to the ECOSOC.\textsuperscript{33} Moreover:

*Having been made aware* by the Commission . . . that some non-governmental organizations have occasionally failed to observe the requirements of confidentiality . . . and having been made aware further that the oral interventions of some non-governmental organizations on matters affecting Member States have often shown disregard for proper discretion,

the ECOSOC

*Decides* that any non-governmental organization failing to show proper discretion in an oral or written statement may render itself subject to suspension of its consultative status . . . \textsuperscript{34}

The outcome was doubly disappointing to the League in that many of the NGOs—even including human rights NGOs—absolutely refused to band together to protest and protect themselves and their alleged constituents from these retaliatory actions.\textsuperscript{35}

Some close U.N. observers also consider there to be a linkage between a third U.N. development and the sanctioning of NGOs: *i.e.*, the recent removal of the Human Rights Division of the U.N. from New York to Geneva. Additionally, the General Assembly's Committee on Conferences recently voted that all sessions of the Commission and Sub-Commission would be held in Geneva. This decision reversed a long-standing practice of alternating sessions between New York and Geneva.\textsuperscript{36} One can speculate about the effects of these acts, but a primary consequence would seem to be the isolation of the entire subject matter of human rights from the nerve center of the U.N. system. The move is perceived by key activists, such as Jerome Shestack, as placing human rights on "the back burner." Additionally, since human rights NGOs increasingly draw


\textsuperscript{35} The grounds for refusing to cooperate in self-defense, according to Robert Cohen, were that it would destroy the claimed "credibility" of the human rights NGOs with the Commission on Human Rights—yet to have credibility with a noneffective governmental agency would seem a hollow political status indeed.

their members and financial support from United States citizens, the transfer will penalize NGOs both directly and indirectly. It will directly increase the cost of operational representation; concurrently, it will make it more difficult for Americans to center their vision on human rights matters. Obviously the United States press will pay even less attention to non-United States events such as human rights violations when the source of information is Geneva rather than New York.

Finally, with respect to disillusionment with the United Nations, one must cite the 1975 General Assembly Resolution equating Zionism with Racism. All Western-based human rights NGOs have been deeply disturbed by this event, regarded by them as a blatant example of the "politicization" of human rights; many, like the League, formally dissociated themselves from that U.N. declaration. The Zionism resolution, perhaps, was the gelling point of many NGO frustrations with the U.N. system:

Some have questioned the "selective morality" or double standard of the U.N. in criticizing violations of human rights only in certain political areas of the world when such problems are virtually worldwide. Others have pointed to the politicization of the handling of human rights issues by both the General Assembly and the Commission on Human Rights. They feel that human rights issues should not be evaluated primarily by extraneous political criteria. Still a third criticism of the U.N. in this field is that emphasis has been given to promoting economic, social, and cultural rights while often neglecting civil and political rights, or diluting or perverting the standards. A fourth criticism is the lack of general standards of fair procedures for all situations.

Thus, the League has been involved in a major reassessment of the U.N. as the principal forum for human rights.

V. REAPPRAISAL OF STRATEGIES

In terms of organizational biography, disillusionment with the United Nations and the former League focus on lawmaking coincided with the elaboration of the organizational structure, increase in the budget, and expansion of the Board of Directors of the

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League. Thus, in the early 1970's, the ILHR became concerned with defining for itself a new role in effective human rights implementation, as well as with differentiating itself from other human rights NGOs. As Roberta Cohen, Executive Director of the League, has characterized the process, the organization has been engaged in a search for a new methodology.

One of the first attempts to engage in more meaningful and innovative activism grew out of the existing League strategy of supporting national-legal affiliates. In June 1971, the Board of Directors of the ILHR after intense debate took the unprecedented step of affiliating with a Soviet organization. The Moscow Human Rights Committee was founded in November 1970 by three Russian scientists—Andrei D. Sakharov, A.N. Tverdokhlebov and V.N. Chalidze. These were later joined by a handful of other Soviet dissidents, such as Litvinov. "A creative association acting in conformity with the laws of the state," the purposes of the Committee were specified as including assistance to state authorities in creating and applying safeguards for human rights, help for persons who research and study human rights in a socialist society, legal education in the field, and "constructive criticism of the present state of the Soviet system of legal safeguards for individual freedom." Although hardly a civil libertarian organization in the Western sense of a legal interest group, the fact that the Committee was openly and "legally" established and that it was seeking international support prompted the League to favor affiliation. Fears of League Board members that there would be reprisals against Committee members in Moscow were assuaged by the insistence of Russian dissidents that publicity could only strengthen their position—that silence helped no one.

This, nonetheless, imposed a special responsibility upon the ILHR—to protect as well as to support the members of the Moscow

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40 It is, perhaps, important to note here that a group like the Moscow Human Rights Committee is not an anti-Communist organization. That is, Sakharov, Chalidze and Tverdokhlebov (the latter two now in the United States and editing A CHRONICLE OF HUMAN RIGHTS IN THE USSR, a quarterly published by Khronika Press and morally supported by the League) think of themselves as "legalists," admonishing the Soviet authorities for violations of their own 1936 Constitution which speaks very eloquently to the issue of human rights for Soviet citizens.
Human Rights Committee (MHRC). Thus, the League instituted weekly phone calls to the members in Moscow both to assure their well-being and to keep apprised of Soviet developments; it undertook to publish the proceedings of the MHRC, to disseminate samizdat publications, and to transmit information received from the Committee to the U.N., the press, and other relevant publics; and it gave high priority to lobbying the Soviet government when the lives or health of human rights activists were threatened by imprisonment or incarceration in mental institutions. The International League's initiative was subsequently followed in September 1974, when the International Executive Committee of Amnesty International decided to recognize the formation of an AI group in Moscow.41

A second experiment in strategy arises from the fact that, as the oldest international human rights NGO, the League has received an increasing number of complaints of alleged violations of human rights sent by individuals and organizations throughout the world, currently about 1,000 such complaints annually. Since the League does not have the research and verification manpower and competence that Amnesty International has established with respect to political prisoners, nor does it have the legal-professional and jurisprudential prestige of the limited-membership International Commission of Jurists, the League has sought to develop its own style of response to a small sample of these unsolicited complaints. Reference here is to the Lawyer's Committee on International Human Rights, a joint effort begun in 1976 by the International League and the Council of New York Law Associates, a group of some 1,600 young "public interest" lawyers of the New York City area. By the end of the year the Lawyers' Committee had enlisted some 35 young attorneys; it had held three training sessions on international human rights law, on the United Nations and NGOs, and on new United States legislation on human rights; and it was generally experimenting with efforts to fulfill the felt need for "class action" intervention doctrines.

The Lawyers' Committee's efforts, thus far, have been impressive: reuniting an American Peace Corps worker and her Afghan husband; filing the written 73-page complaint with the United Nations concerning torture in Indian jails and publicizing this com-

plaint in Western media; suing the United States Postal Service for reimbursement for costs of undelivered mail sent to the Soviet Union; specialization in the procedures for monitoring the 1975 Helsinki Accord’s “third basket” on human rights; and publicity, petitioning and pressures to secure the release from jail of Srdja Popovic, a Yugoslav attorney sentenced by the Yugoslav courts for having conducted the legal defense of a Yugoslav political dissident. In all of these cases, the young attorney can claim to have become an expert (possibly the expert) in the legal and political procedures involved. Moreover, these cases all reflect the organization’s search for techniques of effective implementation of human rights legislation.

A final form of experimentation has recently been under consideration by the League, though the Board has not yet approved the strategy. This concerns the possibility of targeting League pressure on such multilateral funding agencies as the World Bank or the IMF, on such American funding agencies as the Export-Import Bank, and perhaps even on multinational corporations, especially American multinationals. Other human rights NGOs have engaged in such action; for example, church groups and American black NGOs have tried to curtail the flow of both aid and investment to the white regimes in southern Africa by such pressure. However, when the League’s Board considered the transmission of a resolution asking that the World Bank deny a pending loan request to Paraguay on the grounds of political repression by the military, genocide of the Ache Indians, political corruption and narcotics trafficking by or on the part of the ruling elite to Robert McNamara, President of the Bank, it was a new departure for the League.

Simultaneously, the League has engaged in nonexclusive and traditional strategies: the sending of observers to political trials (e.g., Claude-Armand Sheppard represented both the League and the International Commission of Jurists at the trial of the Ananda Marga leader in India in 1976); the dispatch of special missions to conduct on-site investigations of selected human rights situations (e.g., the League Mission of former Ambassador Ben Stephansky and Rutgers Professor Robert J. Alexander, to Paraguay in mid-1976); and, increasingly, the staging of political-social events as political fundraisers for such extra-budgetary costs. The League has also engaged in the preparation of in-depth reports on priority issues and, when requested, has prepared detailed reviews of human rights violations for such congressional committees as Congressman Fraser’s Sub-
committee on International Organizations.

While the expertise and legitimacy of human rights NGOs like the International League or Amnesty International have given them privileged access to such committees, and to the Senators and Congressmen who concern themselves most with human rights, the League does not engage in lobbying within the meaning of Title III of the Legislative Reorganization Act of 1946 and subsequent federal court decisions interpreting that “Federal Regulation of Lobbying Act.”4 That is, the League never lobbies for or against specific domestic legislation. This notwithstanding, the League does act to shape the effective climate of political opinion in the United States and, through this indirect manner, it acts to ensure that elite behavior will be in accordance with the League’s pro-human rights preferences.

VI. APPRAISING EFFECTIVENESS

Any attempt to appraise both the short-term impact and the long-range effectiveness of League strategies brings one back to the issue of shadow versus substance mentioned in the introduction. The League, like almost every single political interest group with which we are familiar, lacks both the resources and the expertise to conduct objective evaluations of its own activities. Additionally, it is unable to engage in long-term planning because the human rights field is an endemic crisis situation relative to the few pro-human rights groups and their terribly limited resources. Consequently, an organization such as the League is guided by hope and faith and such crude indicators of their effectiveness as quantity and quality of press clippings about League activities. On the other hand, the social science researcher cannot avoid the obligation of attempting an independent assessment. In this endeavor there are two extreme dangers: the first is the easy equation of activity with influence; the second is to adopt an inappropriate scientific stance—“if it cannot be counted, it does not exist”—thus denying that such groups have any intended impact. Bearing these dangers in mind, what can one conclude?

For the first 25 years of the League’s existence and taking its proclaimed primary function at face value, the League was highly effective. Evidence for this is found in the substantial corpus of

international law on human rights drafted since World War II. However, in examining the organization’s shift to its present focus—that of implementation—we have a much more complex problem of evaluation. Tentatively, the League, as one important constituent of a pro-human rights “movement” has been successful in putting human rights on the agenda of United States politics. Agenda setting is, of course, the classical strategy of interest groups in American politics—it makes little difference which party wins a political election so long as one can monopolize the office holders’ focus of attention. But the test still lies in the future. In the Bicentennial and American Presidential election year of 1976, the ILHR and other human rights NGOs have been able to make human rights concerns politically salient, as evidenced in the descriptive enumeration with which this article began. Yet it is by no means clear that human rights concerns can retain their high ranking position in a changed environment entailing conflict with national economic goals. For example, if the world economic situation were to deteriorate even further, so that United States-based multinational corporations could persuasively argue to the American electorate that an excessive “bleeding-heart liberal” concern with human rights is costing the nation external markets, sources of raw materials, and arenas for investment, then it is by no means certain that human rights groups could retain control over the policy-makers’ agenda.

Furthermore, if one expands one’s perspective beyond the borders of the United States, 1976 did not exhibit so nearly favorable a climate for human rights concerns. The military coup in Argentina has been followed by concrete evidence of an emerging continental cooperation of the political police in Latin America. In Uruguay and Chile, the regimes of torture and terror continue such that the United States Congress permitted no military assistance or sales to those nations. Recent information on Iran indicates that their se-

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44 Rosenblum, Terror in Argentina, New York Review of Books, Oct. 28, 1976, at 26. It is clear from Rosenblum’s report that computerized information systems, and time- and data-sharing, have introduced a new element of bureaucratic rationality in the pursuit of suspected guerrillas, terrorists, and subversives across the entire South American continent.
45 In FY 76 legislation, the United States Congress terminated all military assistance, loans or grants, and commercial sales to Chile because of gross violations of human rights; while for FY 77, the Ford Administration did not even seek renewed military assistance to Chile. Likewise, Congress acted this year to block military aid to Uruguay.
cret police apparatus—SAVAK—has grown to 20,000 agents (200,000 if one includes “part-timers”), many of them trained by the United States. In Thailand, an ultra-conservative military coup crushed incipient democracy and overturned constitutionalism. In South Korea, President Park’s strong-armed repression of poets and Protestants continued. And in the Republic of South Africa, the white regime’s response to the Soweto uprising has been the expansion of preventive detention legislation, heightened police brutality, and tokenism. These stark facts raise a disturbing possibility. That is, one cannot focus on the pro-human rights actors alone, isolated from the systemic context. For, if in one sense we can document heightened attention to human rights and expanded activities on behalf of human rights, in another sense the world political system may have moved towards intensified repression. To illustrate, if the universe of the world political prisoner population has increased dramatically in the past decade, then an organization devoted to the release of such “prisoners of conscience” can exhibit increasing numerical “success” yet with no net change in the human rights situation. The whole system has moved from “slack” to “taut” with increasing potential resources available for politics, more of them devoted to politics, and these more efficiently exploited—on both sides of human rights conflicts.

Yet, there is enough evidence of lives saved, prisoners freed, oppressors tumbled from power, to sustain the efforts of these activists. Moreover, the International League, as one of a tiny handful of human rights NGOs, has operated successfully as a catalyst of others and in ad hoc coalition-building in defense of threatened rights. In the near term, while the key activists are rather dubious of the net gains achieved by moving in the direction of a mass membership organization, one can expect them to build further


47 Before moving toward a mass membership organization, the League would want to make a thorough study of both the feasibility and desirability of such a plan. However, League officials are intuitively inclined against an organizational strategy of this sort. That is, they do not feel that a mass organization can effectively respond to the entire array of human rights that the League deals with. Additionally, they seem to feel that the League gains more by attracting members and supporters with high status and visibility than by indiscriminate numerical growth.
upon the experiment with the Lawyers' Committee for International Human Rights (which would help them define a unique role), and to cooperate further in the building of a human rights movement. Indeed, at the present time, there are stirrings in Washington and New York toward the creation of a permanent coalition on human rights, which may crystallize into a form of the "Leadership Conference," which guided the successful civil rights legislation of the 1960's. The International League for Human Rights will obviously want to associate with these new strivings.

48 This year, for example, a Human Rights Working Group was established in Washington, a group brought together through the initiative of Jacqui Chagnon, of Clergy and Laity Concerned, and which seeks to "coordinate" the efforts of some 30 organizations concerned with international human rights issues.