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## *The economic and political determinants of human (including health) rights\**

### **Introduction: The rediscovery of human rights in America**

The American system of power is in crisis. And that crisis is apparent in all spheres of our economic and political lives. While the economic news in the daily press hits us with constant references to unemployment, underemployment, inflation, stagnation, and other items of an equally disquieting nature, the political news carries a continuous message of concern about what a *New York Times* editorial has termed “the current crisis of trust of the people towards their political institutions.” That crisis of trust, however, is not new or sudden. It crests a wave of distrust and disenchantment with our political institutions that has been increasing rather than declining for some time now. This situation was well reflected in a Harris Poll survey of public attitudes towards government conducted for a US congressional committee, which indicated that:

“the most striking verdict rendered [in the survey] by the American people—and disputed by their leaders—is a negative one. A majority of Americans display a degree of alienation and discontent [with government] . . . Those citizens who thought something was ‘deeply wrong’ with their country had become a national majority . . . And for the first time in the ten years of opinion

\* Written in 1978.

sampling by the Harris Survey, the growing trend of public opinion toward disenchantment with government swept more than half of all Americans with it."<sup>1</sup>

Many events show such political alienation. A recent and meaningful instance was the record low turnout for the 1976 presidential election, when barely over half of those eligible voted,<sup>2</sup> prompting James Reston of the *New York Times* to write that "the real scandal of this election . . . [has been] the indifference and even cynicism of so many of the American people." Let me add that that political alienation is reflected not only in a feeling of mistrust towards the political institutions but also in an anti-establishment mood that does not escape the notice of the establishment's centers of power. Both Carter and Ford, for example, and particularly Carter, ran in the 1976 presidential campaign with anti-establishment slogans, stressing the need "to give the government back to the people" in order to regain the people's confidence in what were supposed to be, at least in theory, their institutions. And once elected, one of the Carter administration's main emphases was—via the attendance of Carter and his Cabinet at town council meetings, the Carter telethon, and informal TV fireside chats in the evening—to convince the American people that his is indeed a people's government.

Accompanying this new image of power has been the stress on the need for a new leadership and a new morality to be provided by the US government, a leadership, incidentally, that is supposed to be asserted nationally and internationally. One strategy for winning that battle for the hearts and minds of our citizens, and for regaining their trust, has been to show the inherent superiority of our system over any other possible alternative. This emphasis on the moral superiority of our system is particularly evident in the international scene. Indeed, at a moment when alternative ideologies are proliferating throughout the world, and at a time when the Western capitalist world is on the retreat, there was perceived to be a need, in the words of Patrick Moynihan, former US ambassador to the UN and current state senator, to pass from the defensive to the offensive, and to establish the moral superiority of our system over all others.<sup>3</sup> And in that ideological struggle and campaign, carried out nationally and internationally, the general features assumed to be in existence in

our system are abstracted as an ideal type, and are compared or contrasted with the features of other societies and particularly so with regard to those other societies which have chosen patterns of development that are alleged to negate what are assumed to be the primary features of our political systems, *the existence of human rights*.

Consequently, a great rekindling of debate is taking place on the nature of human rights as a determinant of policy, primarily international policy. And all voices are called upon to propagate, debate, and discuss the concern about human rights, a concern that is presented as the new trademark of the Carter administration. (This concern is also presented as a major trademark of the current Reagan administration.)

Let me then present an alternative and a minority view of the usually presented concern about human rights—my remarks concerning not only the whats, hows, and wheres of human rights, but equally important, the whys of that assumed concern for human rights. Why are significant voices of our political establishment raising that concern today? The first thing to be noticed is that most of the concern, debate, and promotion of human rights, presented by conservative and liberal authors and commentators alike, is limited to its civil and political dimensions, that is civil and political rights as defined by the UN Universal Declaration of Human Rights of 1948.<sup>4</sup> And of those civil and political rights, the ones most frequently—almost exclusively—mentioned are the right to life and the right to freedom of organization and of opinion. These rights to life and liberty are the rights that supposedly characterize our system. Both the executive and legislative branches of our government are on record as upholding the USA's dedication to human rights—as defined above—rights to life and liberty as the standards of morality in our international and national policies.<sup>5</sup>

It is worth stressing, however, that in this strong emphasis by the established center of power in the USA, there is no attention to or mention of the other dimensions—the social and economic ones—of human rights, also defined and included in that Universal Declaration. The rights to work, fair wages, health, education, and social security that are, among others, expressed in the articles of that declaration, are usually never even mentioned in this newly

discovered concern about human rights. Actually, it is characteristic of the current presentation on human rights, that:

- (a) those civil and political rights, defined as rights to life and liberty, exist in the USA;
- (b) those civil and political rights can be secured independently of the achievement of the socio-economic rights; and
- (c) human rights, as interpreted in actual debate in the USA, that is the rights to life, and to freedom of organization and of opinion, have a universal interpretation, valid in all types of societies and in all forms of economies.

In summary, these are the main assumptions made in present debate about human rights, and they establish the parameters on which basis that discussion takes place. It is the intention of this essay to question all of the above assumptions and to postulate that:

- (1) civil and political rights are *highly restricted* in the USA;
- (2) those rights are *further restricted* in the USA when analyzed in their social and economic dimensions;
- (3) civil and political rights are *not independent of* but rather *intrinsically related and dependent on* the existence of socio-economic rights;
- (4) the definition of the nature and extension of human rights in its civil, political, social, and economic dimensions is *not universal*, but rather depends on the pattern of economic and political power relations particular to each society; and
- (5) the pattern of power relations in our society and our Western system of power, based on the right to individual property and its concomitant class structure and relations, is *incompatible* with the full realization of the human rights in their economic, social, political, and civil dimensions.

Due to the central importance of point 5 in explaining points 1, 2, 3 and 4, let me now expand on that point. But first, let me stress that I will have to limit myself to the mere presentation of paradigms, leaving it to a more extensive bibliography, cited in the text, the burden of proof for each one, and leaving it up to the reader to judge whether my explanation has an internal consistency and whether it helps him or her to explain our realities better than more accepted ones.

### Right to property, political power and the state, and their implications in human rights

The American constitution established the right to individual private property and assigned to the state<sup>6</sup> the responsibility of safeguarding that right. This right to property determines and safeguards a concomitant class structure whereby very few—the members of the corporate class—own, control, and possess most of the wealth and the means to produce it, that is the means of production, and where the many do not control or own much; they—the majority of Americans—own only their capacity to work—their labor power—which they sell. Indeed, contrary to the mythology that we are a people's ownership society, the value of private property owned by most Americans is very limited indeed. And, for the most part, the type of property owned by the majority is consumer goods used for private enjoyment. But the greatest portion and most important type of property—the property of the means to produce those consumer goods—is owned by an extremely small percentage of the population. Less than 2 per cent of the population, for example—the members of the corporate class and the top echelons of the upper middle class—owns at least 80 per cent of all corporate stocks (the most important type of income-producing wealth).<sup>7</sup> In summary, under capitalism, the few control capital and the many sell their labor. And capital and labor exist in a situation of dominance of the latter by the former, a situation perpetuated by the responsibility of the state to safeguard the right to property. As Sweezy has eloquently indicated:

"Property confers upon its owners freedom from labor and the disposal over the labor of others, and this is the essence of all social domination whatever form it may assume. It follows that the protection of property is fundamentally the assurance of social domination to owners over non-owners. And this, in turn, is precisely what is meant by class domination, which it is the primary function of the state to uphold."<sup>8</sup>

Indeed, assigning to the state and to its institutions the "mere" right to protect property is in theory and practice to assure the nature of class domination. As Engels indicated, to assure the right to private property is to assure the domination of one class—the

non-owners—by another—the owners. Thus, to say that it is a primary function of the state to protect private property is equivalent to saying that the state is an instrument of class domination.<sup>9</sup> Actually, this was said and recognized by none other than Adam Smith, when, in his book, *The Wealth of Nations*, he wrote: “Civil government, so far as it is instituted for the security of property, is in reality instituted for the defense of the rich against the poor, or of those who have some property against those who have none at all.”<sup>10</sup> And it is that function of the state, to protect the right to property and the class relations that that right determines, that gives it its capitalist character.<sup>11</sup> Indeed, what establishes the state, including its government, as capitalist is not so much that members of the capitalist class predominate in the main organs of the state (e.g. from 1889 to 1961, over 60 per cent of the US cabinet were businessmen),<sup>12</sup> but more importantly, it is their functions which determine (a) that they give primacy not to the interests of specific capitalist groups, but to the interests of the capitalist economy as a whole, where the private ownership of the means of production is assured and its sanctity considered to be above the interests of specific groups, and (b) that when a conflict appears between what are considered to be the needs of the economy and other needs, such as an increase in the satisfaction of human needs, the former tends to take priority over the latter. And those policies respond to the need perceived by governments that the economy, upon whose health we are all supposedly dependent, has to be straightened out before “we can think of other matters.” And it is this behavior, and not the specific motivation of individuals or manipulation of groups, which establishes those policies as capitalist policies.

I am aware, of course, of present mythology that indicates that ours is a “mixed economy.” But ours is a society where by far the largest and most important economic activities are still dominated by private ownership and enterprise. This is why, agreeing with Miliband, I find that to speak of a mixed economy is to attribute a special and quite misleading meaning to the notion of mixture.<sup>13</sup> In the USA and other capitalist societies, the state owns no more than a subsidiary part of the means of production, and, for the most part, the state intervention in the economic sphere (including nationalization of economic activities) is aimed at strengthening rather than

weakening the private sector. The US society is a capitalist society in which the owners and controllers of the means of production have an overwhelming dominance over the organs of the state. Here again, I am also, of course, aware that this interpretation of the state and political power is contrary to prevalent pluralistic interpretations of the state as a neutral and independent set of institutions. Indeed, according to these interpretations, our societies have neither dominant classes nor dominant groups or elites. Rather, there exist competing blocks of interests, with no one having a dominant control over the state, which is assumed to be an independent entity.

In that explanation of our societies, power is thought to be diffuse, with different competing blocks balancing each other and themselves, and with no particular group or interest being able to weigh too heavily upon the state. It is believed, furthermore, that it is this very competition among interests, supervised and arbitrated by the state, that provides the prime guarantee against the concentration of power. A system is thus created that offers the possibility for all active and legitimate groups in the population to get organized and ultimately to make themselves heard at any crucial stage in the decision-making process. And this “being heard” takes place primarily through a parliamentary system in which a plurality of ideas is openly exchanged, complementary to the free allocation of resources that occurs in the market-place and following, for the most part, the rules of *laissez-faire*. It is, of course, recognized that the system is far from perfect. But, in any case, our society is considered to have already achieved a model of democracy in light of which the notion of “ruling class” or even “power elite” is ludicrous, completely irrelevant, and of concern only to ideologues.

The main weakness of such paradigms, however, is not so much their postulate that competition exists, but more importantly, their unmindfulness that such competition is continuously and consistently skewed in favor of some groups and against others. As the power elite theorists have empirically shown, the different organs of the state are heavily influenced and in some instances dominated by specific power groups. In that respect, the pluralists’ failure to recognize the consistent dominance of our state organs by specific groups is certainly not shared by the majority of the US population, who believe, for example, that both political parties are in favor of

big business and that America's major corporations dominate and determine the behavior of our public officials and of the different branches of the state.<sup>14</sup>

The members of those power groups are, for the most part, components of the dominant classes—primarily capitalist but also upper middle class—and, when they are considered in a systemic and not just sectorial fashion, they are found to possess a high degree of cohesion and solidarity, with a common interest and a common purpose far transcending their specific differences and disagreements. And one of those common purposes and interests is their support for the *right to own property*.

Let me stress here that the overwhelming dominance of the capitalist class—or in popular parlance, big business—in the organs of the state, including government, is not tantamount to actual control. There is competition between capital and labor realized in the area of class struggle, and defeats of capitalist interests are possible. After all, and as Miliband indicates, David did overcome Goliath. But the point of the story was that David was smaller than Goliath and that the odds were heavily against him.<sup>15</sup> So, it is this set of class power relations that defines the rights of the citizen in society. The individual's rights, in summary, will depend on what class position he or she holds within our class society. Henry Ford and the assembly line worker of his factory have different rights, given by the class to which they belong. And the meaning of those respective rights is not only quite different but also in opposition and conflict. Indeed, none other than Abraham Lincoln once said:

"We all declare for liberty; but in using the same word we do not all mean the same thing. With some the word liberty may mean for each to do as he pleases with himself, and the product of his labor; while with others the same word may mean for some men to do as they please with other men, and the product of other men's labor. Here are two, not only different, but incompatible things, called by the same name, liberty. And it follows that each of the things is, by the respective parties, called by two different and incompatible names—liberty and tyranny.

"The shepherd drives the wolf from the sheep's throat, for which the sheep thanks the shepherd as his liberator, while the wolf denounces him for the same act, as the destroyer of liberty.

... Plainly the sheep and the wolf are not agreed upon the definition of the word liberty."<sup>16</sup>

Within this introduction, describing the nature of class power relations in the USA, let me now focus and further elaborate on the interpretation and definition of those rights under capitalism.

### Civil rights under US capitalism

The most frequently mentioned civil and political rights in American debate are the right to life, the right to freedom of organization, and the right of expression of opinion. Let me very sketchily try to analyze the realization of those rights in this USA of ours, particularly in the light of the previous discussion in which I have stressed the different degrees of power that capital has *vis-à-vis* labor in our society.

Let us start with the right to life. Here, it is worth stressing, as Raphael has rightly indicated,<sup>17</sup> that this right assumes not only the right to life but also the right to protection against physical or quasi-physical injury, harm or suffering which is inflicted on someone against his or her will. The ultimate in such harm is, of course, killing someone. But the right to life in a capitalist system clearly conflicts with the right to private property, which gives to capital the right to control the process of production intended, not to optimize workers' welfare and insure protection of life, but rather to optimize the process of capital accumulation. Because of the dominant influence that capital has over the organs of the state, the rights to life and freedom from harm are made dependent and secondary to the rights of capital to pursue capital accumulation. Actually, the overwhelming amount of legislation that exists in our society to protect private property contrasts quite dramatically with the meager and obviously insufficient legislation to protect the workers against loss of life and harm at the work-place.<sup>18</sup> And the dimensions of that harm are enormous. Four million workers contract occupational diseases every year, with as many as 100,000 deaths every year,<sup>19</sup> while the number of on-the-job injuries exceeds 20 million per year and the number of deaths in work-related accidents reaches approximately 28,500.<sup>20</sup> And most of this death, harm, and disease is preventable. Actually, the dramatic dimensions of this harm at the

work-place are there for all to see. These appalling conditions are even worse for some types of occupations, such as coal-mining. On the average, one miner is killed every other day in the US coal-mines.<sup>21</sup> And 4,000 miners die every year from black lung disease, with one out of every five working miners being a victim of black lung.<sup>22</sup> This is a tragic picture of the dramatic and overwhelming violations of the right to life of our working population, daily perpetuated for the glory and benefit of capital. And very little is done to correct such violation of human rights. This is, no doubt, due to the overwhelming influence of capital over the organs of the state. As indicated in a memorandum published by the Senate Watergate Committee, a Nixon official promised to the business community that "no highly controversial standards (i.e. cotton, dust, etc.) will be proposed by the Occupational Safety and Health Agency [OSHA] during the coming four years of the Nixon administration."<sup>23</sup> And the records of the Ford and Carter Administrations are not much better either. The legislation to protect the worker's life and safety is extremely meager. This reality is clearly shown in this quote by A. Miller, President of the United Mine Workers of America:

"If a factory worker drives his car recklessly and cripples a factory owner, the worker loses his license to drive, receives a heavy fine, and may spend some time in jail. But, if a factory owner runs his business recklessly and cripples 500 workers with mercury poisoning, he rarely loses his license to do business, and never goes to jail. He may not even have to pay a fine."<sup>24</sup>

In the first three years of operation of OSHA only two firms were convicted of criminal violations, and the average fine for OSHA violations was twenty-five dollars.<sup>25</sup> The expressed concern by the Carter Administration that the normative functions of OSHA should not impair the functioning of the economy shows a similar set of priorities, that is life and safety has to be subject to a most important aim, to assure the unalterability of the process of capital accumulation. There is, in summary, a clear violation of the rights to life and freedom from harm of many and large sectors of our working population—a violation of human rights met by a deafening silence in both our legislative chambers and in our media.

Here, in this context of violation of human rights, it is worth

stressing the definition of violence in our society. If someone stabs and kills another person, it will be defined as an act of violence. But, if someone—an employer—perpetuates death and disease because of lack of protection of his workers against harm, this action is not considered to be *violent*. The rationale for that distinction is that the employer does not personally harm anyone, and, moreover, that he does not intend harm to the worker. Due to the prominence of the two arguments, let me further elaborate on each of them. Regarding the former, that the employer does not harm directly or personally, one must stress that the argument of impersonality as an excuse for crimes of violence was rightly dismissed in the trial for mass murder of Eichmann in Jerusalem in 1961. The fact that Eichmann was a personable, likeable music lover, and personally unable to kill an insect, was of *no consequence* for defining him as a mass murderer. The point of that judgment was that his actions, however impersonal, led to death and harm for masses of people.<sup>26</sup> In that respect, it is worth stressing that, as Priestland has indicated, most incidences of violence and violations of the right to life in the twentieth century have been and continue to be impersonal.<sup>27</sup> Indeed, as Barnett has also attested concerning violence in the twentieth century, "those who plan, do not kill. And those who do kill, do not plan."<sup>28</sup>

The other argument usually made against defining the employer's actions as violent is that the employer is *not aiming directly at the worker with the intention of causing harm*. In other words, he does not intend to kill or maim. But, as the Nuremberg judges rightly indicated, by taking an action involving a risk tantamount to near certainty that people will be killed and injured, the act must be regarded as an act of violence, regardless of the aims of the perpetrators.<sup>29</sup> Coming back to our example, many employers—coal-mine owners and managers, for example—know that the absence of safety in the coal-mines is highly likely to cause death and injury. In summary, then, whether or not the employers, or class of employers, do not *personally* inflict harm or death on others, or whether or not they do not *intend* to kill or injure, does not excuse their actions as nonviolent. They are indeed violent if, as a result of their actions, death and harm are likely to be and are being inflicted on their employees or workers. Consequently, it is correct to define as violent that set of class relations that puts property and the right to

accumulate property over the right to life and freedom from harm, however *impersonal*, *indirect*, and *unintentional* those relations may be. And it is equally correct to define those economic and political institutions that sustain and replicate that set of power relations that violate the right to life and freedom from harm (established in article 3 of the Human Declarations Charter) as violent institutions. Here, let me add a further note: while much is being said, usually with revulsion, about the individual personal violence, not much is being said about the inherent violence of our institutions that sustain and replicate a pattern of violence that affects and harms many of our working populations.

### Political rights under US capitalism

I have tried to show how the control of the process of work by the few, and the overwhelming influence that they have over the organs of the state, seriously and even dramatically impairs the civil rights of the many. The overwhelming influence that big business has over the state organs is particularly accentuated here in the USA, where there is no political arm of labor that could balance it. And that overwhelming influence by the property owners and managers of wealth—big business—over our political institutions explains the exclusion from political competition of those ideologies and those parties that question the set of class, power, and property relations in our society. Gerson, for example, has shown the practical impossibility for parties of the Left, parties that question the right to private property, to have any chance in the overall electoral process.<sup>30</sup> The electoral and legislative processes practically exclude from political competition parties different from the two major parties—Republican and Democrat—each committed to the survival and strengthening of the capitalist system. Actually, the exclusion of alternative, anti-capitalist, anti-property voices finds its strongest expression in their actual physical repression. The physical repression of the Black Panthers, and the Communist and Socialist Parties, among others, is the subject of general knowledge and even acceptance among the corporate-controlled media. Infiltration, sabotage, and even physical eradication of the Left are part of the normal political behavior of the American system.<sup>31</sup> The whole furore about

Watergate and the use of such tactics by an over-zealous President Nixon was not because of the novelty of political repression, which has been consistently directed against the leftwing parties, but rather because it was directed against an “accepted” party, the Democratic Party.

But, far more important than physical repression, is the ideological and cultural repression of the Left, aimed at excluding the presentation of alternatives to the American people. Indeed, the USA is a clear—almost asphyxiatingly clear—example of the accuracy of Marx’s dictums that “the ideas of the ruling class are in every time the ruling ideas,” and that the reason for this is that the

“class which is the ruling material force in society, is at the same time its ruling intellectual force. The class which has the means of material production at its disposal, has control at the same time over the means of mental production, so that thereby, generally speaking, the ideas of those who lack the means of mental production are subject of it.”<sup>32</sup>

This situation determines what Gramsci called the “hegemony” of the dominant class in civil society, defining hegemony as:

“an order in which a certain way of life and thought is dominant, in which one concept of reality is diffused throughout society in all its institutional and private manifestations, informing with its spirit all taste, morality, customs, religious and political principles, and all social relations, particularly in their intellectual and moral connotations.”<sup>33</sup>

Let me stress here that this dominance does not require a prohibition of opposite views, but rather—and more effectively—that the ideological competition be so unequal as to give a crushing advantage to one side over the other. And it is that crushing inequality that profoundly constrains the political rights to both organization and expression of opinion stated in the Declaration of Human Rights. In that respect, there is an overwhelming hegemony of business in the value-generating systems of the US. One of those systems, the mass media, is in the private domain and controlled not only by business, but by big business, with a rapidly increasing concentration of ownership in the press, magazines, book publishing, broadcasting,



cinemas, theaters, radio, television, and all other instruments of culture.<sup>34</sup> As the Commission on Freedom of the Press indicated, "the owners and managers of the press determine which persons, which facts, which version of the facts, and which ideas shall reach the public."<sup>35</sup> And all these corporate-controlled media foster a climate of conformity to the business values, not by total suppression of dissent, but by the "presentation of ideas which falls outside the consensus as curious heresies or even more effectively, by treating them as irrelevant eccentricities, which serious and reasonable people may dismiss as of no consequence."<sup>36</sup>

This overwhelming dominance over the value-generating system by corporate class values appears also, of course, in the schools and universities, whose primary function is to replicate the ideology functional to the actual system of power relations. Indeed, a primary function of schools in America is to teach the superiority of American capitalism and the free enterprise system over any other system,<sup>37</sup> to the exclusion of any alternative ideology. At the present time, for example, most states have laws, passed by their business-controlled legislatures, instructing the schools to teach the dangers of communist and socialist ideologies.<sup>38</sup> Organizations such as the American Bar Association, National Education Association, and the American Association of School Administrators, have all passed resolutions encouraging schools to teach the evils of those ideologies, and they have even resolved that it is perfectly legitimate for schools to fire any communists on their staffs. And, of course, the American Federation of Teachers, not to be outdone, found that membership in the Communist Party was incompatible with membership in their union.<sup>39</sup>

A similar, although not identical situation, appears in academia. As Professor Galbraith has indicated, higher education is attuned to the needs of the private enterprise system.<sup>40</sup> In colleges and universities, students are taught to understand the world in ways calculated to diminish rather than enhance their propensity to change it. Consequently, views challenging the set of class power relations in our society are excluded as not meriting serious analysis and debate. Actually, such exclusion of views is usually done more subtly than in the school system. It is usually presented under the ideological tenet that the holders of such unorthodox views are unacceptable deviants

from the pattern of academic excellence demanded and required from all scholars. As Marx indicated, "the thinkers of the [ruling] class (its active, conceptive ideologists, who make the perfecting of the illusion of the class about itself their chief source of livelihood)," maintain that illusion by presenting "its interest as the common interest of all members of society, put in an ideal form; it [the ruling class] will give its ideas the form of universality, and represent them as the only rational, universally valid ones."<sup>41</sup> Consequently, there exists a climate of suspicion, if not hostility towards certain positions of intellectual political unorthodoxy that are dismissed as being subjects only for ideologues, positions that are put aside not as a result of prejudice—God forbid!—but rather because of doubts as to the supposed ideologues' scholarship and objectivity. The overwhelming and indisputable ideological discrimination against Marxist scholars in the academic centers of the USA is indeed a consequence of the dominance of bourgeois ideology in those centers, a dominance that is dictated by the function of those universities, to replicate the ideological relations of the capitalist system.<sup>42</sup>

In summary, I have tried to show how the right to property, assumed and granted by the state, perpetuates a pattern of class relations whereby the few—the owners and controllers of the means and process of production—have a hegemony in all spheres of the civil and political lives of the many, limiting and constraining most profoundly and seriously Americans' civil and political rights. It conditions a class bias in the interpretation and extension of those rights, a bias in favor of the owners and managers of capital and its servants, and against the rights of the majority of the US population—the working and lower middle classes.

This class hegemony over our institutions also explains the very serious limitations that US capitalism imposes on the socio-economic rights of the Americans. Let us now focus on these.

### **Socio-economic rights under US capitalism**

As I indicated before, most of the discussion of human rights in the US has focused on the civil and political rights assumed to be existent in the USA. The notes that I presented before indicate a *class bias* in the interpretation and extension of these civil and political rights. But



the Declaration of Human Rights of the UN also includes—and in a prominent place at that—socio-economic rights as part of human rights. Among the most prominent are the rights to work, to receive a fair wage, the right to security and retirement, and the right to health and education.<sup>43</sup> Actually, a quick analysis of the situation in the USA regarding each of those rights may, at least partially, explain why we are met with a deafening silence regarding those socio-economic rights. Indeed, the USA does not compare favorably at all in those components of human rights with the majority of other countries, including other capitalist developed countries, in which, for the most part, these rights fare much better.

Regarding the right to work, for example, the USA is the capitalist developed country with the highest unemployment rate (8.5 per cent in 1975), totaling over 7.5 million people. Similarly, regarding the right to fair wages, the workers who, in spite of working full-time do not receive adequate income to provide a decent standard of living, total 7 million workers, or approximately 7.5 per cent of the US labor force. Actually, Professor Gordon, adding with the unemployed, the discouraged workers—able people who would like to work but have given up the hope of finding it—the involuntary part-time workers and the low-paid workers, has found that over one-third of the US labor force is under- or unemployed and under-paid, and thus have had their human rights to work and a fair wage violated.<sup>44</sup> Here again, we find a clear incompatibility between full employment and fair wages and the nature of the capitalist system. Capitalism needs a reserve army of idle and unemployed workers to establish a sense of both insecurity and discipline in the labor force. Let me add, incidentally, that this unemployment is not only in violation of the socio-economic rights of the unemployed, but also of their civil rights, such as the right to life and non-harm. Indeed, unemployment causes and is responsible for much harm and damage. As indicated by a 1976 Congressional Report, every increase of unemployment by 1.4 per cent determines 51,570 deaths (more than all casualties of Vietnam put together), including 1,540 suicides, and 1,740 homicides, and leads to 7,660 state prison admissions, 5,520 state mental admissions, and many other types of harm, disease, and unease.<sup>45</sup>

Similarly, in other areas, such as health and education, the USA is

the only one among developed capitalist countries which has not yet accepted that the access to comprehensive health care is a human right. And even regarding education—usually considered a human right in the USA—none other than former President Lyndon Johnson indicated that in 1965, over one-quarter of the Americans—54 million—had not finished high school.<sup>46</sup> And to finish with this quick sketch of the status of the socio-economic rights of our American people, let me finally say that our system of social security is among the least developed in the Western capitalist world. And this underdevelopment of social security is very much a result, again, of the overwhelming political dominance of capital and the political weakness of our laboring population.<sup>47</sup>

### The assumed independence of the two types of rights

As indicated before, the current focus on civil and political rights as the primary components of human rights assumes their autonomy, if not independence from, the socio-economic rights. Actually, these two types of rights are considered to be two separate types of rights, that are frequently in conflict. It is generally assumed that the civil and political rights to life and freedom imply a *negative* obligation upon others, an obligation not to interfere with one's own exercise of those rights. On the other hand, the other rights—the socio-economic rights—are assumed to place a *positive* obligation on others, that is something has to be done if they are to be secured for their recipients. These perceptions have led to the interpretation that those two types of rights may not only be different, but actually may be in conflict. Indeed, to provide the *security* guaranteed by the second type of rights, there may be a need to limit the *liberty* guaranteed by the former type of rights. As one theoretician of that interpretation has indicated, "the promulgation of socio-economic rights has brought them into conflict with civil and political rights, for the planning and control essential to the former impinge on some of the freedom of choice and action that had seemed defensible under the latter."<sup>48</sup>

In less elegant but more direct fashion, this was said by the then presidential candidate, Carter, when, in a radio broadcast, he indicated that a primary difference between the socialist countries and

us—the USA—was that they have chosen security over liberty, while we—in the capitalist countries—preferred to emphasize liberty and opportunity over security.<sup>49</sup>

But those interpretations of human rights that assume a dichotomy and even conflict between civil and political rights on the one hand, and socio-economic rights on the other, are erroneous both empirically and historically. Indeed, to state the debate in terms of a choice between liberty and security is to avoid the issue of liberty for whom and for what. The analysis presented earlier in this essay shows that the liberty guaranteed the few who control capital constrains and violates both the liberty and security of the many. The civil and political right to vote and choose among political alternatives, for example, is dramatically reduced by the limited alternatives available to the population as a result of big business control over the media and dominance over the organs of the state. And the civil rights to life and to freedom from harm are denied when the rights to employment and fair wages are—as they are under capitalism—denied. Rather than conflict, then, we must recognize that the full realization of civil and political rights cannot be realized in the absence of the fulfillment of socio-economic rights. As Tawney has indicated: “political rights afford a safeguard and significance to civil rights . . . economic and social rights provide means essential to the exercise of political rights.”<sup>50</sup> Actually, none other than former President Franklin Roosevelt saw that dependency when, in his message to Congress back on January 11, 1944, he indicated that “necessitous men are not free men.” Except in that he should also have included women, this dictum makes the point quite clear, that civil and political rights are not in conflict, but rather require the full realization of the socio-economic rights. And as I have tried to show in this essay, capitalism, the social formation in existence in the USA today, denies the possibility of the full realization of either type of human rights.

#### **Capitalism as an international system and its implications in human rights**

The search for profits, the primary motor for capital accumulation under capitalism, does not stop at or respect national boundaries.

And in that search for profits, the particular mediums through which the profits are gained are (1) the extension of markets, (2) the acquisition of raw materials, and (3) the exploitation of new sources of cheap labor. And in that search, the top monopolistic enterprises of the USA take the leading role in the internationalization of capital. Capitalism thus becomes a set of international relations that is dominated by the giant corporations of a few countries, primarily American corporations.<sup>51</sup> In their process of expansion and internationalization, the owners and managers of the top corporations who already have a dominant influence in the economic and political life of the USA increasingly come to dominate the economic and even political lives of other nations. In Chile, before Allende's government, multinational corporations (the majority from the USA) controlled more than 51 per cent of all manufacturing, and in each of the seven key industries of the economy one to three firms controlled at least 51 per cent of the production. In Mexico, global corporations control 100 per cent of rubber, electrical machinery, and transportation industries; and in Brazil, global corporations own 100 per cent of the automobile and tire production, while their share of machinery was 67 per cent in 1971 and of electrical equipment 68 per cent for the same year,<sup>52</sup> and so on. That international expansion of those US corporations is of vital importance for their strength and dominance. US firms' profits earned abroad, for example, represented 30 per cent of the total American corporate profits in 1974,<sup>53</sup> and this figure is continually increasing. And the top 298 US-based global corporations earn 40 per cent of their entire net profit overseas, with their rate of profit from abroad being much higher than their domestic rate. Actually, this rate of profit for these global corporations is even higher in the underdeveloped world, resulting in a huge net outflow of capital from those countries back to the USA. American corporations, for example, made direct investments in the Latin American continent of \$3.8 billion during the period 1950–65, while extracting \$11.3 billion, for a net flow of US \$7.5 billion back to the US.<sup>54</sup> Indeed, this and other information confirms the conclusion of the Declaration of Foreign Ministries of Latin America in 1969 that: “the sums taken out of Latin American countries are several times higher than the amounts invested. The Latin American capital is being reduced. The profits on investments grow and multiply, not in

Latin America, but abroad."<sup>55</sup> It is that situation that classifies the pattern of international capitalist relations as a pillage of the Third World.<sup>56</sup> Actually, contrary to what is said by the defenders of that international order, the diffusion of capital does not go from developed to developing countries, but rather from developing to developed ones. As Frank has noted, the largest part of the capital

"which the developed countries own in the underdeveloped world was never from the former to the latter at all, but was, on the contrary acquired by the developed countries in the now underdeveloped ones."<sup>57</sup>

And much of this flow of capital goes back to the US corporations. As Sherman, after reviewing all pertinent information, concludes: (a) the rate of profit of US investments abroad is several times higher in the less developed than the advanced capitalist countries, and (b) the less developed countries make a very considerable contribution to US capital accumulation.<sup>58</sup>

And that flow of capital, from developing countries to developed ones, requires an international political order that sustains and replicates the dominance of the international economic order by the major sectors of capital in developed capitalist countries and especially by the major sectors of capital in the US. Indeed, the internationalization of capital is a process that does not take place in a political vacuum. Capital requires direct protection, and the institutions through which it operates must be protected. Thus, the expansion of the areas of operation of capital is always associated with an expansion of the political influence of the state with which that capital is associated. Translated into the realm of foreign policy, the task of the capitalist state is to facilitate and protect the international business activities of its nationals. And this is done by assuring—by all strategies of domination—the commitment of affected and dependent countries to a free enterprise system, where the *right to own private property by international capital supersedes all other rights, including the human ones*. The purpose of exporting democracy and freedom as standards of American foreign policy has meant in most cases the imposition of the right of American capital to own, dominate and control many of the economies, supposed beneficiaries of that freedom. The meaning of this truth is expressed

quite clearly in the words of the former Secretary of the Treasury, William Simon, after his visit to Pinochet's Chile.

"The present Chilean regime is clearly in the best interest of the world compared with the Marxist regime of Allende. Chile has been the leader of democratic societies of Latin America, and they could not tolerate the kind of repression Allende brought. It had also taken an economic dimension. So now we are trying to move Chile back to freedom."<sup>59</sup>

"Back to freedom," of course, meant (1) freedom for the US corporations to regain the control of the Chilean economy that they began to lose during Allende's government, and (2) a violent change from a democratic Allende regime to a military regime that has been described as the bloodiest and most repressive regime in today's world and the main violator of human rights today.<sup>60</sup> Here again, we can see that, as Abraham Lincoln said, the meaning of liberty and freedom is indeed different for owners of capital—the managers and owners of capital and its political servants—than for the non-owners of capital—the majority of Chileans. Their respective definitions of freedom are not only different, but in conflict. Indeed, the freedom for the few to control and manage capital has been, is, and will be incompatible with the human rights of the many—human rights defined in all its civil, political, social, and economic dimensions.

#### **The exportation of repression: The abolition of human rights at the international level**

A primary role of the federal government of the USA, both in the nineteenth and twentieth centuries, has been to make the world safe for capitalism in general, and for American capitalism in particular. And that role has taken place in many forms, including (1) military intervention, (2) strengthening the apparatus of order, (3) covert operations and direct intervention, and (d) control of international agencies of legitimation, credit and lending. Due to the importance of each in the violation of human rights in the countries subject to US intervention, let me focus on each.

## THE AMERICAN MILITARY INTERVENTIONIST POLICIES

Contrary to what is believed by many Americans, Vietnam was nothing new. American intervention abroad in defense of American property and American interests was and is a very typical feature of American diplomacy. From 1789 to the outbreak of World War II, for example, American troops—without authorization from Congress—were sent to foreign countries 145 times.<sup>61</sup> All of them were police actions in situations of unrest that represented a threat to specific American capitalist interests. Whenever an outbreak of nationalist revolutionary activity occurred (Argentina, 1833; Peru, 1835; Argentina, 1852; Nicaragua, 1853; Uruguay, 1855, 1858; Colombia, 1860; Panama, 1865, 1885; Hawaii, 1889; Chile, 1891; Nicaragua, 1894), or a state of insurrection such as a serious riot with political overtones (Panama, 1856; Uruguay, 1868; Colombia, 1868; Haiti, 1891; Nicaragua, 1899), or a civil war in which the USA had an interest (China, 1854, 1855; Japan, 1868; Samoa, 1888; Brazil, 1894), or a coup or an attempted coup (Nicaragua, 1857; Samoa, 1899), American troops intervened. And in all those nineteenth-century interventions, American troops changed the nature of the political events by favoring those sides that supported US interests. Regarding the twentieth century, a similar history and rationale appeared. Maybe the best testimony is the one provided by someone who should know quite well, a leader of those troops, Marine Major-General Butler:

“I spent thirty-three years and four months in active service as a member of our country’s most agile military force—the Marine Corps. I served in all commissioned ranks from a second lieutenant to major-general. And during that period I spent most of my time being a high-class muscle man for Big Business, for Wall Street, and for the bankers. In short, I was a racketeer for capitalism . . .

“Thus I helped make Mexico and especially Tampico safe for American oil interests in 1914. I helped make Haiti and Cuba a decent place for the National City Bank boys to collect revenues in . . . I helped purify Nicaragua for the international banking house of Brown Brothers in 1909–1912. I brought light to the Dominican Republic for American sugar interests in 1916. I helped make Honduras ‘right’ for American fruit companies in

1903. In China in 1927 I helped to see to it that Standard Oil went its way unmolested.

“During those years I had, as the boys in the back room would say, a swell racket. I was rewarded with honors, medals, promotion. Looking back on it, I feel I might have given Al Capone a few hints. The best *he* could do was operate his racket in three city districts. We Marines operated on three *continents*.”<sup>62</sup>

Had General Butler lived longer, he would have mentioned, among other instances, Iran in 1953, Guatemala in 1954, the Dominican Republic in 1965, and, of course, Indochina in 1966. Let me clarify here, that those interventions had as their purpose not only the preservation of accessibility to markets and raw materials, but equally important, the maintenance of the power relations whereby no country could leave the capitalist system and no country could change the rules of international capitalism. As McEwan has indicated:

“What is at stake in Vietnam is not just a geographic area but a set of rules, a system. A capitalist government will and must go all out to protect that set of rules. In part, this is a tactical issue: failure to protect the system in Vietnam would lead to further and more effective threats against the system elsewhere. The ‘domino’ argument is a very real one. One need only look at the impact of the Cuban Revolution in Latin America or the impact of the Russian and Chinese Revolutions throughout the world to perceive the implications of a victory for the socialist forces in Vietnam.”<sup>63</sup>

The difference between the intervention in Vietnam and previous interventions was that its objective, to keep that country safe for capitalism, failed, and that that lengthy struggle created a resistance by the American people, making it the most unpopular war in American history. The recent policy of non-military intervention of US forces in Angola and Zaire cannot be explained without the recent history of Vietnam.

## STRENGTHENING THE APPARATUS OF ORDER

Increasingly more important than the direct mode of military intervention is, and will be, the *threat* of military intervention<sup>64</sup> and/or

the provision of assistance to the military and agencies of order, such as the police, responsible for the maintenance of property relations in those countries that favor the interests of American capital. Actually, such assistance frequently has taken the form of encouraging the direct seizure of power when forces with an anti-capitalist or anti-US capital tone or program have threatened those interests. As a recent article in the *Washington Post* indicated, all military juntas in Latin America, violators of all types of human rights of the majority of Latin American populations, have counted on the encouragement, support, and acquiescence of the US government and of the US corporations involved in those countries.<sup>65</sup> But, while much has been written about the by now well-known support by the US government of assistance to the military in many parts of the globe, not so much is known or written about the support to police and other agencies of order. An agency that took a prominent role in that assistance was the Office of Public Safety of AID whose aims were, in the words of Bell, Director of AID in 1965, the creation and maintenance of an atmosphere of law and order under civil concepts and controls, whereby the US interests could be promoted and protected.<sup>66</sup> The meaning of those US interests appears quite clearly when one sees where that assistance went, to countries where American multinationals were threatened by hostile forces and needed protection, i.e. Southeast Asia, Brazil, the Dominican Republic, Venezuela, Colombia, Guatemala, Zaire, and Liberia. The nature of that support appears quite clear when one reads that the police assistance to Venezuela went to suppress labor agitation at Goodyear and Gulf; to the Dominican Republic to suppress labor agitation at the Western plantations; and to Liberia to actually pay for the training and salaries of the private security police of Firestone Rubber.<sup>67</sup>

#### COVERT OPERATIONS AND DIRECT INTERVENTION IN POLITICAL AFFAIRS OF OTHER COUNTRIES

The direct intervention of state agencies such as the CIA, with the cooperation of private corporations such as ITT, Anaconda, and others in the downfall of Allende's government, is even a matter of congressional record. But, as the US ambassador to Chile at the time

of Allende's downfall, Korry, has indicated, these practices were not new or the result of Nixon policies. They were a continuation of a long and well-established tradition of active participation by agencies of the US government and multinational corporations to intervene covertly in the doings and undoings of other governments. As Korry indicates, Nixon was just following the steps that had been previously taken by Presidents Kennedy and Johnson to support, by all means of covert activities, the interests of multinational corporations in Chile (and many other countries) and to stop—also by all means—the increased power of the Left in these countries. Actually, it is worth noting that Korry mentions that Cyrus Vance, Secretary of State in the Carter administration, and designated to carry the human rights message around the world, was knowledgeable and a participant in those policies when serving in previous administrations. As Korry's testimony concludes, there is an

“old boys’ network—of say, Mr. Geneen, Mr. McCone, Mr. Helms, the brothers Bundy, Mr. Rockefeller, and even Mr. Vance . . . [which is] designed to be self-serving, self-perpetuating, and self-protective . . . [and which] gave us Vietnam in the 1960's, assassination plots and the dark legacies of all manner of cover operations.”

It is wrong, however, to assume those covert actions are a mere result of an “old boys’ network.” They are part and parcel of the strategy of the US foreign diplomacy aimed at saving the world for the exercise of freedom, that is the freedom of capital to accumulate at whatever cost—as in today's Chile—that freedom may require. In fact, the reading of Korry's testimony—a most informative one—shows (a) how the federal foreign affairs establishment and the multinational corporations are interlinked, and (b) how the primary purpose of the former is to optimize the interests of the latter.

#### CONTROL OF INTERNATIONAL AGENCIES OF LEGITIMATION AND OF CREDIT AND LENDING

The corporate-controlled foreign establishment of the US government has been dominant in the creation of most international agencies and of an international order whereby those who do not

accept or submit to that order—like Cuba—are defined as outlaws, subject to repression and punishment, such as economic blockade. This exclusion and blockade is made possible by US dominance of those international institutions like the OAS, the World Bank, and the Latin American Development Bank, that are used to exercise the pressure necessary to defend the interests of the free enterprise system, in which the US is dominant. One instance, Chile, shows this situation quite clearly. The total assistance by those two institutions to Chile declined from \$75 million (in loans) to \$12 million in the first year of Allende's government (1971), and further to \$2.1 million in the second year (1972), consistent with a policy of economic blockade that the corporate-controlled federal foreign establishment had declared against Allende's government. It is interesting to note the arguments given by these international lending institutions were presented not as political but as economic, that the policies of the Allende government, from 1971 to 1973, aimed at the nationalization of most of the monopolistic and oligopolistic industries (many of which were US-controlled), and at a profound change in the income distribution and popular consumption, were considered to be "unorthodox" for those agencies. Allende's policies, which had a substantial impact in expanding and optimizing the socio-economic rights of large sectors of the population, were considered by those international institutions to be in conflict with the sacred and ubiquitous right of private capital accumulation by US capital. And the meaning of "economic orthodoxy" appeared quite clearly when, after the coup, the Junta denationalized most of the public property and once again made Chile safe for multinational corporations, and those agencies immediately increased their loans to a most impressive \$110 million for the first year of the Junta and \$90.8 million for the second year. The Junta was following the "pattern of orthodoxy" of reinstating the dominance of the private sector with drastic reductions of government spending, with cuts in public expenditures for health services from 1,933,000 pesos in 1972 (under Allende), for example, to 850,000 pesos in 1976 (under Pinochet), with full freedom for prices to rise, and with full prohibition for labor unions to strike and operate.<sup>68</sup> That freedom for capital has indeed meant a most brutal violation of not only civil and political rights, but of the socio-economic rights of the majority of Chileans. According to even

the official Junta and IMF figures, in 1976 a quarter of the population (2.5 million people) had no income at all, unemployment was estimated to be 22 per cent (under Allende, it was 3.1 per cent), and a phenomenon of mass hunger and starvation unknown in the history of recent Chile emerged.<sup>69</sup> Actually, in that battle between property owners and non-property owners, it is quite clear whose side the Junta is on. In 1972, during Allende's government, employees and workers—the nonowners—received 62.9 per cent of the national income, while the propertied sector received 37.1 per cent. By 1974, already the share of wage earners had been reduced to 38.2 per cent, while that of property had increased to 61.8 per cent.<sup>70</sup> The consequences of those figures are enormous and impossible to present as mere statistics. A picture of hunger, starvation, torture, harm, desperation, and death is the result of the orthodox policies perpetuated by the centers of international economic order, and they require a most brutal political repression to sustain and maintain them. Chile has clearly shown what Brazil and many other countries had already shown, that *the interests of international capital and of the international and national political institutions that sustain it are incompatible with the realization of human rights.*

In summary, I have tried to show how capitalism and its international dimension, imperialism, are incompatible with the realization of human rights, both nationally and abroad. Let me add that this denial of human rights is the consequence of the logic of capitalism, not the result of the specific malevolence of individuals or groups. To consider that the consistent denial of human rights that US foreign policy has implied for many inhabitants of the world is a result of the immorality of its leaders, is to have a religious but not a political and economic understanding of the forces that move history. It is the dynamic of the capitalist system that explains why some of the most repressive governments in the world, like Iran, Chile, Saudi Arabia, South Korea, South Africa, and most Latin American governments, are also areas where US foreign capital is dominant or heavily influential. To consider the repressive policies of those governments as the result of the specific sadism or malevolence of their leaders, is to have a rather limited understanding of the economic and political determinants of human rights and denial of them. *The political repression in those regimes is required and needed to sustain an*



*economic system whereby the few (including US corporate interests) control much, and the many (the masses of those countries) control very little.* Here, it is worth stressing a further note. While much is being said—and, for the most part, with universal revulsion—by the corporate-controlled media against revolutionary violence—the force exercised by the oppressed against their oppressors—not much is being said about the inherent violence of our institutions that sustain and replicate a pattern of violence. As Moore has noted:

“The way nearly all history has been written imposes an overwhelming bias against revolutionary violence . . . the use of force by the oppressed against their former masters has been the object of nearly universal condemnation. Meanwhile the day-to-day repression of ‘normal’ society hovers dimly in the background of most history books.”<sup>71</sup>

### Concluding remarks

Having explained the incompatibility between capitalism and human rights, let me now finish by postulating why the centers of the establishment—or at least elements of it—have raised that issue.

First, indicated at the beginning of this essay, is the need to express and demonstrate to the increasingly disenchanted American public a new morality in the leadership of the country, and to emphasize that repressive and regressive policies are things of the past, mistakes maybe, but, for the most part, a mere result of the actions of specific individuals. The denial of human rights at home and abroad is considered to be primarily the result of individual misjudgments, mistakes, or sins, but certainly not the result and logic of our capitalist system. Indeed, in all those explanations, it is emphasized that our system is morally superior to all others, and very much superior to socialist ones whose growing attraction to other peoples is increasingly feared. Thus, it is worth realizing that most of the space dedicated to human rights in the text of the Carter administration’s concern and in media presentations is about the rights of dissidents in the Soviet Union. And here let me add that I count my voice among those that protest repression in the Soviet Union, or in any other country, for that matter. But as some people have begun to

notice, there is a clear selectivity in this concern for human rights.<sup>72</sup> Countries considered vital to our national interests are exempt from those criticisms or concerns. But, the question has to be raised: in whose interests are those “national interests”? Certainly, not those of the majority of the people living under repressive regimes. And not, I postulate, the interests of the American public. Rather, that concern is expressed in the interests of American capital whose value has to be saved. It is not in the interest of the average American, nor of his or her security, to have US foreign diplomacy support the most repressive regimes in today’s world. As Marx indicated, it is always the custom for the bourgeoisie to define its own interests as human and universal.<sup>73</sup> But this essay shows that the interests of the bourgeoisie or capital—or in popular parlance, big business—are not the same as the interests of the majority of people, either at home or abroad. Actually, these interests are not only different, but are in conflict. Using Lincoln’s dictum, *the liberty of the few means the tyranny for the many*, that is freedom for capital means the denial of human rights for the majority of Americans and the peoples of the capitalist underdeveloped world.

Needless to say, I am aware this viewpoint is in conflict with prevalent explanations of our realities. A minority view, perhaps, but not an Un-American one. None other than that great American, Mark Twain, said, back in 1886:

“Who are the oppressors? The few: the capitalist, and a handful of other overseers and superintendents. Who are the oppressed? The many; the nations of the earth; the workers; they that make the bread that the soft-handed and idle eat.

“Why is it right that there is not a finer division of spoil around? Because laws and constitutions have ordered otherwise . . . Then it follows that they do not have the same but contrary rights.”<sup>74</sup>

It has been my intention in this essay to show that what Mark Twain said then is still very much applicable today as well. It is for the reader to judge.

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