



International Human Rights Regime as an Instrument for Advancing National Interests: The US and Others in the 21st Century

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Research Article

Abstract

This paper examines the relationship between international human rights regimes and the pursuit of the United States' national interests in the 21st century. Archival research or literature survey, content analysis, and the realist theory of international human rights were adopted for the inquiry. The core objectives of the paper were to assess US human rights posture; find out if US international defense of human rights and interventions is without bias, and to determine if there is a positive relationship between US pursuit of national interest and US human rights policy. The results of the analysis show that the US has both internal and external poor human rights posture, and there is a lack of neutrality in the US international human rights campaign. The results further reveal that there are different supranational principles of human rights and institutions; and although the US refused to ratify key international human rights regimes, they have been used consistently to advance US national interests. It is therefore concluded that international human rights regimes are weakened by the conflict of value systems and Great powers politics.

Keywords: Human rights regime, United States, national interest, United Nations, sanction, compliance

1. Introduction

“Our motive will not be revenge but only the vindication of right, of human right, which we are only a single champion... We have no selfish ends to serve. We desire no conquest, no dominion. We seek no indemnities for ourselves, no material compensation for the sacrifices we shall freely make. We are but one of the champions of the rights of mankind.”

- Woodrow Wilson (quoted in Baker and Dodd, 1927)

An idiomatic expression has it that the thirst of the pudding is in the eating. Human rights are natural phenomena because they are elementary preconditions for the existence of humans and their dignity, which manifest at the level of interpersonal, groups, and inter-groups relations at all levels. Thus its existence has been as old as any form of social organization and relations; however, the bone of contention is the foundations of human rights, which rights have priority over others, whom these rights belong to, its protection, violation, and nature/means of punishment for violators (Vincent, 1986). For instance, the Greek philosophy is enshrined in human rights without mention of the word, the 6th Century Achaemenid Persian Empire of ancient Iran possess principles of human rights, the Cyrus cylinder of rights to free religious worship of Cyrus the Great (576 or 590 BC - 530 BC), the Magna Charta Libertatum of 1215, the Golden Bull of Hungary (1222), the Danish Erik Klipping's Håndfaestning of 1282, the Joyeuse Entrée of 1356 in Brabant (Brussels), and the Union of Utrecht of 1579 of The Netherlands validates this claim of ancient existence. Nevertheless, the various human rights principles and practices of antiquity have national jurisdiction only while the contemporary human rights principles have cosmopolitan jurisdiction. Its evolution can be traced to European 30 years' wars of attrition and the horrific human casualties that characterized the wars, which led to the trans-territorial Treaties of 1648 in Westphalia city, which focused specifically on creating peace, averting future wars, and prohibiting and cushioning the impacts of inter and intra territorial conflicts on mankind.

The 1648 Treaties laid the foundation of modern state sovereignty, international laws, and multilateral management of issues that threaten human existence. These, which were euro-centered and civilian focused, were modernized in the 19th century with the introduction of British Magna Charta that defined and limited sovereign power in the treatment of civilians during wars and handling of prisoners of war; the France's Universal Declaration of the Rights of Man and the Citizen in the exercise of sovereign power of 1789; and the US Bill of Rights. The atrocities and catastrophic overture of World War II put to an end that the traditional view that states have full liberty to decide the treatment of their own citizens, and led western powers to harmonize and codified these rights of mankind in the face of sovereign powers' exploits and wars into an international template, which was cod-named the Universal Declaration of Human Rights (UDHR) (Hafner-Burton, 2012; Keith, 1999). The underlining principles of UDHR include the prohibition of genocide, slavery, and torture; protection of civilian lives, treatment of sick and wounded combat and non-combats during wars, protection of prisoners and prisoners of wars, condemnation, and punishment of rights violators, etc. (Martenson, 1990; Cassel, 2001). Thus, humanitarian philosophy structures the emergence of the International Human Rights Declaration, which was signed and adopted in Paris on 10 December 1948 by members of the United Nations.

The euro-character of UDHR cosmetically changed with the adoption of its principles by over 197 countries, which led to the emergence of new Human Rights treaties and a network of transnational institutions and/or corporate international governance to monitor and sanction violators of UDHR principles in sovereign socio-political and economic activities (Davenport,

Moore & Armstrong, 2008; Cross, 1999). Some of the new treaties and the number of countries that accented to them appear in table 1 below as follows:

Table 1: Some of the Main International Human Rights Treaties

Treaty	Year it opened	Rights	No of countries
International Covenant on Civil and Political from Torture and Rights (ICCPR)	1966	Life, Liberty, Freedom	166
International Covenant on Economic, Social, and Cultural Rights Cultural Rights (ICESCR)	1966	Economic, Social and social rights	160
International Convention on the Elimination of All Forms of Racial Discrimination (CERD)	1966	Fundamental and Human Rights for Persons of All Races	173
Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)	1980	Fundamental and Human Rights for Women	185
Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	1984	Freedom from Torture and Forms of Punishment	147
Convention on the Rights of the Child (CRC)	1989	Fundamental and Human Rights for Children	193

Source: Dutton (nd.).

The activities of this network of transnational institutions and/or corporate international governance that monitor and sanction violators of UDHR principles are strictly and legally controlled by the United Nations (UN) through the UN Commission on Human Rights (UNCHR). According to Article 55 of the UN Charter, '... the United Nations shall promote ... universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion' while 'All Members pledge themselves to take joint and separate action in co-operation with the Organisation for the achievement of the purposes outlined in Article 55' (Article 56). This was restated in the 1993 Vienna Declaration and Programme of Action thus, '[T]he promotion and protection of all human rights is a legitimate concern of the international community'. Virtually, all Human Rights treaties in compliance with the policy of sovereignty recognizes the responsibility of each country to protect their citizens from genocide, war crimes, ethnic cleansing, and crimes against humanity but provided that where any state fails to guarantee the human rights of its citizens, the international community shares a collective responsibility to respond (Deng et al, 1996).

Three levels of responsibilities, which obtain here, are:

- a) The responsibility to prevent atrocities and other abuses of human rights;
- b) The responsibility to intervene or act in the event that these abuses occur; and
- c) The responsibility to rebuild the structures and institutions of the country involved after the intervention.

The international community places a priority on the responsibility to prevent the violation of UDHR principles through the building state capacity, providing necessary supports for the rule of law, and mechanisms for redressing grievances (Evans, 2008). The responsibility to intervene through political, diplomatic, economic, legal, and in the last resort, military measures, are

always misconceived and misapplied. The dominant western powers prefer to pursue this responsibility with alacrity because it provides the base for use of military power to weaken, overthrow, or destroy any perceived pro-socialist and/or nationalist government whose policies are antithetical to their interests. When accused of interference in and invasion of sovereign states, they refer to the principles of humanitarian intervention. The US, as will be demonstrated below, is a primary culprit in this regard. Nevertheless, the international human rights charter and corporate international governance did not provide for any individual state or allies to intervene in such situations without the rest of the international community. Consequently, the UN established standard-setting and created international instruments with monitoring responsibilities, which includes the creation of several committees and working groups charged with monitoring states' compliance with specific treaties, and examining States' reports. These committees and working groups are under the auspices of the United Nations' Commission for Human Rights (UNCHR).

However, the literature is dominated by evidence that UNCHR is biased in its activities, investigations, and decisions (Cole, 2011; Voeten, 2007; Lebovic and Voeten, 2006). Some countries are neither investigated at all nor condemned in spite of monumental petitions and evidence against them because of their capabilities, membership of dominant blocs in the international system, and affiliations to western value systems. Emerging international powers were more often the targets of the UNHCR with complete indifference to human rights violations of member states of the Commission and World Powers who have strong capabilities (Lebovic and Voeten, 2006). It is my considered opinion that UNHCR's focuses on emerging powers are to suppress and scale back their abilities, which will eventually if allowed, grow to challenge the prevailing international Order or to cause a change in their ideological value orientation. Hafner-Burton (2012) aptly captured this correctly in the following words, '... the UN human rights process is extremely political, based not solely or even mainly on violations of human rights but also on other factors, including national and interstate politics as well as the personal relationships among commissioners' (p. 269). It is therefore imperative that ideological values and political maneuverings rather than the principles and strictly legal considerations of their violation play a pivotal role in how UNHCR and Judges in international courts make decisions about human rights. Thus, Hafner-Burton (2012) submits:

"The core insight that is emerging from this body of research is that international human rights regimes are quite political and sometimes personal, in the ways they operate and the decisions they make. That is, they are not perfect agents of the governments that delegate authority to them. They render decisions that exhibit a variety of biases that reflect the values and positions of the individuals making decisions as well as some of the ideologies and political interests of the states that appoint them" (p.271).

Thus the dominant Great Powers use the international human rights regimes as an instrument for advancing their national interests across the world.

Essentially, after the collapse of the Berlin wall in 1989 and the perceived collapse of the Communist bloc, key Western states projected the western liberal values that defeated communism as universal values whose major goal became the propagation of the principle of humanitarian intervention in sovereign states against their consents (International Commission on Intervention and State Sovereignty, 2001). They established the International Commission on Intervention and State Sovereignty (ICISS) that was dominated by major Western powers who began to lay the foundation that brands every opposition and/or struggle against any government whether democratic or authoritarian that has imbibed the liberal values as terrorists or terrorist organizations. They became targets of the western acclaimed war on terror while their various governments' repressive and authoritarian actions, which violate core principles of UDHR, were ignored. On the contrary, insurgencies are being sponsored against governments that fail or refuse to adopt western socio-economic and political liberal values. Government reactions against such insurgencies are quickly condemned as a human rights violation.

The UN can only do little by way of persuasion, acculturation, and coercion (Davenport, 1995) through sanctions to punish deviants (Hafner-Burton 2005); and arraign individuals in such government at the International Criminal Court (ICC) cases of perceived genocide, war crimes, and other crimes against humanity. These actions are equally limited in effect by the conflicting values and national interests of the five permanent members of the UNSC who by the instrument of veto can and do thwart unified international front against certain violations. This is exacerbated by the existence of similar continental courts like the European Court of Human Rights, Inter-American Court of Human Rights, African Court on Human and Peoples' Rights, International Criminal Tribunal for the former Yugoslavia, Rwanda, Lebanon, Sierra Leone and Extraordinary Chambers in the Court of Cambodia, etc. which the UN cannot close. Their existence signifies the absence of internationally accepted enforcement agencies or institutions for human rights. However, I am of the considered opinion that if these institutions operated with the same value codes and principles, they would have facilitated the entrenchment of human rights across the world. Collectively and individually, they have proved to be ineffective in this direction. The problem here is not the existence of multiple international human rights institutions but the prevalence of antagonistic value systems projecting the national interests of the dominant world powers.

It, therefore, holds that the seeming ineffectiveness of the International Human Rights Regime (IHRR) is attributable to two major factors. First, some world powers like the United States (US) pursued their respective strategic national interests under the auspices of humanitarian intervention, sanctions in defense of human rights, and the activities of international human rights institutions. This provokes resistance and violations against the channels through which they spread these interests. Secondly, states' claim of sovereign power and pursuit of the principle of sovereignty in the international system undermines the regime. Such countries criminalize the activities of human rights organizations operating within their territories, reject international human rights organization's reports, and ignore international demands and pressures that are associated with such reports.

This scenario tends to excavate two important defects or flaws in the evolution and establishment of IHRR. These are:

1. The character of the human rights principles, which promotes the western values system in an international environment that hosts a web of value systems ranging from religious, communists to other orthodox and native traditional systems, engenders failure. Although international human rights regimes have universal validity, they originated in the West, reflect Western interests, express Western values, mores, and norms, and are, therefore, a weapon of cultural hegemony, a neo-imperialistic framework. They are alien to other non-Western interests, cultural values, mores, and norms, and are, therefore, not accepted globally. The consequence of this scenario is the absence of internationally accepted human rights principles and enforcement machinery.
2. The non-existence of internationally accepted definition and indices of human rights among sovereignties in the international system limits UDHR. The West adopted the supremacy of civil and political rights as essential protection of human rights, and this advances western democratic and liberal system (Hafner-Burton, Mansfield and Pevehouse, 2011; and von Stein, 2010) while the Soviet Union, China, and Third World countries adopted the supremacy of socio-economic and cultural rights, which advance the right to self-determination, peace, and security, fair and just international order, healthy environment and the right of equality as essential protection of human rights. 197 countries accented to the western paradigm in 1948 while 135 countries part of whom accepted the western paradigm equally accented to the Soviet Union paradigm in 1998.

Explaining the behavior of states with regards to UDHR, Goodliffe, and Hawkins (2009) noted that states participate or adhere to the UDHR depending on the position and actions of their international "dependence network". Collaborating this, Hafner-Burton (2012) observed that '... governments assumed the policy positions of their closest international partners on which they most depended for trade. Leaders watched how their trade partners behaved and accordingly changed their own positions....' (p. 12). This practice led many countries with repressive and autocratic regimes to ratify the UDHR simply because their major international allies have done so (Hafner-Burton and Tsutsui, 2007; Hathaway, 2002; Goodman and Jinks, 2002). This usually leads to their protection by those allies from international reprimand or punishment. They are even elected to serve in the United Nations Commission for Human Rights probably to inhibit the organization's bias work (Edwards et al, 2008) and/or ensure that they escape the oversight functions of such Commission.

After a thorough reflection on the objectivity and powers inherent in these factions and networks of dependence, I drew a conclusion which once reached informed my position as expressed in this paper. That is, there has never been a standard, generally accepted, objective and effective conceptualization and indices, control and punitive measures for human rights and their violations, and will never be significant compliance to UDHR if it remains an instrument of national interest. This paper explores the validity of this opinion through a critical

evaluation of the United States human rights template and its impact. Specifically, this paper seeks to: a) assess US human rights posture; b) find out if US international defense of human rights and interventions is without bias across sovereign states, and c) determine if there is a significant relationship between US pursuit of national interest and US human rights policy.

2. Theoretical Nexus

The paper adopts the realist theory of the international human rights regime as its framework of analysis. The primary principles or motivations and tactics of the theory is that Great powers employ coercion and/or inducement to unilaterally extend national ideals derived from national pride or geopolitical self-interest under the auspices of human rights while smaller states attempt to defend their sovereignty in the face of this intrusion. The consequence of the scenario is that various governments accept international obligations because they are compelled to do so by great powers, which externalize their ideology. This collaborates Carr (1946), Morgenthau (1960) and Ruggie (1983) proposition that governments embark on the support for human rights simply to justify their pursuit of geopolitical interest. Thus, Donnelly (1986) particularising this view of the United States wrote:

.... much of the explanation [for] the Inter-American human rights regime...lies in power, particularly the dominant power of the United States.... [It] is probably best understood in these terms. The United States....exercised its hegemonic power to ensure its creation and support its operation (pp. 637–38).

As reported in Waltz (1979), the United States admitted this in the following words:

Like some earlier great powers, we [the United States] can identify the presumed duty of the rich and powerful to help others with our own beliefs...England claimed to bear the white man's burden; France had its mission civilisatrice....For countries at the top, this is predictable behavior (p.200).

This theory shall, therefore, enable this paper to identify, comprehend, and explain the connection or relationship between US national interest, its human rights posture, and the pursuit of international human rights regime in the international setting. Therefore an objective inference will be reached on the possibility of international human rights regime being an instrument for advancing the US national interest in international relations.

3. Material and Methods

This paper adopts archival research or a survey of literature as its method of data gathering. Central to these methods, an extensive literature review was primarily adopted as data gathering processes. This is because of the wealth of literature, debates, reports, and criticism available on human rights, international human rights institutions, and the United States human rights campaign. In this method, published materials such as books, journals, workshops and lecture papers, government and non-governmental publications preserved in public and private libraries, and the internet are accessed and critically studied. The data

generated in the course of an extensive review of the literature is analyzed with the aid of content analysis for purposes of inference.

4. Data Analysis and Results

4.1. The United States Human Rights Posture

Evidence abounds in the literature that the United States, led by Eleanor Roosevelt, was at the vanguard of debate and drafting of the international human rights principles through the United Nations Commission on Human Rights (UNCHR) that was established in 1946 (Glendon, 2001). In addition to the American Declaration of Rights and Duties of 1948, the country equally played a pivotal role in the emergence of the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), and other important multilateral treaties on human rights such as the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), the International Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), and the Convention on the Rights of the Child (CRC).

Having signed and ratified the above named international human rights instruments, conventions, and treaties, their principles are always applicable to individuals within the jurisdiction of the United States. For instance, like Article 2 of the ICCPR and CAT, the UDHR law states:

“Everyone is entitled to all the rights and freedoms set forth in the Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinions, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty”
(Article 2).

In spite of the US role in the emergence of these IHRRs and their provisions, these frameworks and their provisions are not enforceable in the United States unless and until they are domesticated and implemented through local, state, or federal laws. Although the US has made enormous efforts to integrate human rights provisions into its Constitutions through amendments, it is documented from the inception of the IHRRs and as crafted in their provisions by the US who 'midwived' their emergence that international human rights courts and monitoring bodies lack the legal ground and ability to directly enforce their decisions on the United States. The Constitutional Amendments, which integrated the UDHR are:

Article 2	14th Amendment (non-discrimination)
Article 3	14th Amendment (life, liberty, security)
Article 4	13th Amendment (slavery)
Article 5	8th Amendment (cruel and unusual punishment)
Article 6	14th Amendment (equal protection)
Article 7	14th Amendment (equal protection)

Article 9	5th Amendment (arbitrary arrest)
Article 10	6th Amendment (fair trial)
Article 12	4th Amendment (privacy)
Article 17	5th Amendment (property)
Article 18	1st Amendment (religion)
Article 19	1st Amendment (speech)
Article 20	1st Amendment (association)
Article 21	15th, 19th, 23rd, 24th, and 26th Amendments (vote)

Regardless of these amendments, the provision that international regimes lack the jurisdiction to enforce the provisions directly made the US an exception thereby equipping them to commit any form of atrocity without reprimand, and rendered the regimes a tool in the hands of the US to control other countries for its national interests.

As a consequence, the United States refused to ratify most of the major human rights treaties, fails to respect most of the human rights provisions, but perversely hound other countries who fail to protect key human rights provisions domestically. The height of this rascality was US withdrawal from participating in, and in some cases directly opposing, established international human rights system in the 1950s due to Cold War conflict of values and independent US states practices. Although later commitment to IHRRs from the 1980s led the US to ratify such treaties like the Convention on the Prevention and Punishment of the Crime of Genocide (1987), the ICCPR (1992), the ICERD (1994), and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1994), it has remained recalcitrant in violating international human rights provisions neither has the US ratified the International Covenant on Economic, Social and Cultural Rights (ICESCR) (1966); the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (1979); the Convention on the Rights of the Child (CRC) (1989); the Rome Statute of the International Criminal Court (ICC) (1998); the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (1990); the Convention on the Rights of Persons with Disabilities (CRPD) (2006); and the International Convention for the Protection of All Persons from Enforced Disappearance (2006).

Further, Human Rights Watch in its annual reports has continuously documented US domestic violation of international human rights provisions ranging from:

- i. President Donald Trump's extensive white nationalism policy, anti-Muslim ideas, and policies;
- ii. Abuse of members of racial and ethnic minorities, immigrants, children, the poor, and prisoners;
- iii. Attacks on news media and journalists, which truncates press freedom;
- iv. High level of prison incarceration with racial disparities, mandatory minimum sentencing, and excessively long sentences;
- v. The increasing level of the death penalty;
- vi. Police use of unnecessary and excessive force on suspects, and extra-judicial killings mainly against the Blacks;

- vii. The high rate of pre-trial detention due to failure to pay for bail and forced guilty plea in order to be released from jail;
- viii. The high rate of deportation of perceived undocumented immigrants without criminal convictions;
- ix. Dismissal of White-house members of staff for criticizing policies;
- x. High-profile sexual harassment of women at work and in public places; and
- xi. Scraping of an equal pay initiative or program etc.

The US has habitually violated the provisions of international human rights regimes within its national boundaries. Internationally, the US has continued to hound individuals, groups, and governments it considered enemies of its national interest without following international processes and provisions. The US Central Intelligence Agency (CIA) runs illegal and secret detention centers in Thailand, Northern Syria, the Guantanamo Bay, Bagram and Kandahar in Afghanistan, Yemen, and Abu Ghraib, Camp Cropper and Camp Bucca in Iraq among others. In these secret camps, suspects are indefinitely detained, continually and excessively tortured even unto death as a form of interrogation or investigation without legal access or representation. Some of these detentions facilities and activities inside them include:

- a. In northern Syria over 600 men from 47 countries accused of being Islamic State (ISIS) fighters or members.
- b. In the Guantánamo Bay detention facility, over 750 men and 19 juveniles have been incarcerated as of 2002 (White House Fact Sheet, 2002; Rhem, 2003; Melia, 2008). Since 12 years or more ago, over 31 of them have been indefinitely detained without charge at, 7 others are facing terrorist offenses in the Guantanamo's military commissions system that does not meet international fair trial standards without defendants' access to preferred legal services, while other 2 men have already been convicted by the commissions. The worst is that the detainees cannot challenge the legality or conditions of their detention before US courts because the detention facility is not on US soil. However, the jurisdiction was established by the decision of the United States Supreme Court in the case of *Rasul v Bush* in September 2004. Nevertheless, the US government said that those detainees are not entitled to the protections of the Geneva Conventions (The United States, 2005; Roth, 2002). Therefore, it is a trail of abuses and dehumanization. Amnesty International Report (2008) summarised the harsh living condition in Guantánamo Bay in the following words; '[t]he high-security cells have no access to natural light or air, are lit by fluorescent lighting 24 hours a day, and are ventilated through air-conditioning controlled by the guards. Detainees have little or no human contact and are fed through a slot in the wall.' As documented by Smith (2007), Shaker Aamer one of the Guantánamo Bay detainee and a Saudi Arabian national explained his reasons for indefinite hunger striking in the following words:

"I am dying here every day. Mentally and physically ... I have got kidney problems from the filthy yellow water... lung problems from the chemicals they spread all over the floor. I am already arthritic at forty because I sleep on a steel bed and they use freezing air conditioning as part of the

interrogation process. I have eyes that are ruined from permanent, twenty-four-hours-a-day fluorescent lights.... tinnitus in my ears from the perpetual noise.... skin diseases from chemicals and never being allowed out to see the sun. I have ulcers and almost permanent constipation from the food. I have been made paranoid ... I would like to die quietly..." (p. 2007).

This was validated by the Report of Zerrougui, Despouy, Nowak, Jahangir & Hunt (February 2006), a five United Nations experts team, on the conditions of detention at Guantánamo Bay, and stated:

"The treatment and conditions include the capture and transfer of detainees to an undisclosed overseas location; sensory deprivation and other abusive treatment during transfer; detention in cages without proper sanitation and exposure to extreme temperatures; minimal exercise and hygiene; systematic use of coercive interrogation techniques; long periods of solitary confinement; These conditions have lead... to serious mental illness, over 350 acts of self-harm in 2003 alone ... suicide attempts and ... hunger strikes."

- c. Afghanistan: The US detention facility at Bagram military base in Afghanistan has been holding approximately 630 detainees, more than double the number. Golden (2008) reveals that these prisoners were held incommunicado for weeks or even months, and subjected to cruel treatment in violation of the Geneva Conventions. The detainees are not charged with any crime or are not informed of the accusations against them, have no advocate and do not appear before any board of investigation. Moazzam Begg, one of the detainees, narrated his experiences in the following manner:

"The noise was deafening: barking dogs, relentless verbal abuse, plane engines, electricity generators and screams of pain from the other prisoners. Maybe I screamed, too. I felt [my] knees pushing hard against my rib cage and legs, and crushing down on my skull simultaneously. I was not sure how many were on me? Perhaps three... I felt the shackles being undone from the ankles and then I felt a cold, sharp metal object against my legs: they were using a knife to slice off all my clothes. I felt the cold even more, though the humiliation was worse" (Begg, 2006).

In addition, he was also hog-tied, shackled and hooded, kicked to the head and back, and deprived of sleep by the 'ear-splitting heavy metal tracks' played to new detainees as part of a sleep deprivation program.

- d. Iraq: the US opened 11 detention facilities such as the Ghraib (Baghdad Central Correction Facility), Camp Cropper and Camp Bucca camps, which were later scaled down to 8 with a total number of 8,900 detainees in permanent facilities and 1,300 in transient facilities (Pearlstein, & Patel, 2005). Within an average of 12 months of their incarcerations, they were made to go out of the compound, handcuffed, slapped, roughed up, pushed around or

pushed to the ground and made to stand, sit, squat or lie down in the sand under the sun for up to three or four hours (International Committee of the Red Cross, 2004).

In all, the United States has been using torture, waterboarding, sleep deprivation, beatings, physical abuse, electric shocks, use of dogs, exposure to extreme temperatures, threats of rape and death, injection of unknown substances, prolonged isolation, sexual humiliation, temperature manipulation, use of pepper spray and inappropriate use of shackles as primary interrogation tactics in their detention centers or facilities abroad (Amnesty International, USA, 2008; Zagorin, 2006).

In addition, to these foreign contraventions of UDHR, the United States has continued to support autocratic and despotic/oppressive regimes who commit grave human rights abuses abroad militarily, financially, and diplomatically. Such countries include Saudi Arabia, Israel, South Korea, Taiwan, Philippines, etc. It is therefore innocuous to infer that US human rights posture is despicable and extremely undermines the effectiveness of multilateral institutions and international judicial bodies as they lack the ability and legal ground to hold its nationals and government accountable for their grave human rights violations.

4.2. The Neutrality of US International Human Rights Relations

The United States' international behaviors and humanitarian activities reflect its alliance system. Thus, Choi & Patrick (2016) noted that 'Alliances are a key factor for American foreign policy-makers since they involve sharing common strategic and security interests for political reasons In other words, Washington should be expected to treat its friends and enemies differently.' (p.907) This policy of favored treatment of allies in the international system negates US international policies and allies' negative behaviors. For instance, the American government has consistently argued that acts of aggression and/or oppression exhibited by dictators and autocratic governments; and terrorism and totalitarianism were the reason for the presidential declaration of acts of war. Such was US justification for invading Iraq under Saddam Hussein, Libya under Col. Muammar Gaddafi, Syria under Bashar al-Assad, etc. and for putting sustained pressure on North Korea under Kim Jong-un, Russia under Vladimir Putin among others. It pricks one's mind to ask or pursue an investigation to find out if the US government actually oppose dictatorships and champion human rights around the world.

Statistics published by Freedom House in 2015 reveals that a total of 49 nations run dictatorships and oppressive government. However, the government of the United States provides military assistance to 36 of them and supports over 73% of the world's dictatorships, which are naturally endowed with mineral resources and are geo-strategically located like Saudi Arabia, Egypt, Somalia, Argentina, Zaire, Afghanistan, Guatemala, Ukraine, etc. These regimes are known for worst crimes known to men like extra-judicial killings, political assassinations/murder, and torture, absence of press freedom, coups, and genocide, etc. Yet the US supports them. For instance, it sponsored at different times and using different methods, and in some cases participated directly in the overthrow of regimes in Albania, Argentina, Afghanistan, Brazil, Cambodia, Chile, Colombia, El Salvador, Guatemala, Haiti, Honduras, Indonesia, Iraq, Myanmar, Nicaragua, The Philippines, and Panama among others, and

replaced them with their puppet. In addition to coups and civil wars through which such regimes emerged that claimed the lives of millions of people, such US-allied regimes embark on high-level oppression, torture, extra-judicial killings, incarcerations, suppression of press freedom, and autocracy that results in numerous deaths in order to consolidate power and silence opposition. Yet, none of them is sanctioned, prosecuted or even condemned by the US. Using Saudi Arabia as a specific example, the U.S. worked with Pakistan and Saudi Arabia to overthrow Afghanistan's socialist government in the 1980s; used Saudi Arabia to scatter the Arab coalition against Israel; and entered into a strategic economic and military alliance with them due to its avalanche of oil resources. In spite of monumental human rights atrocities and unmitigated authoritarianism being perpetuated by Saudi government that reached its apogee in the gruesome and barbaric butchering of the Washington Post columnist and Virginia resident Jamal Khashoggi by Saudi state agents, the US has continued to sell weapons and provide targeting information to them, and organize its allies in support of the regime. The administration only sanctioned 17 Saudis who were allegedly involved in Khashoggi's murder but fail short of imposing sanctions or reporting the regime to the UNSC for an international response. Eze (2014) noted, '...both the US and the United Nations turned blind eyes to authoritarianism in Saudi Arabia, [and] the harboring of despots by the same Saudi Arabia' (p.34).

Similarly, US-sponsored a coup that deposed Patrice Lumumba, the president of the pan-Africanist Movement National Congolais or Zaire that led to the enthronement of President Joseph-Desire Mobutu. Mobutu masterminded the killing of Lumumba, abolished elections, and ruled as the most dreaded African dictator for 30 years. Political opponents were killed by hanging in public squares; people were constantly tortured to death, press freedom abrogated while he embezzled over \$5 billion public funds. Yet, U.S. support for Mobutu continued as Zaire continued to receive 50% of all U.S. military aid to sub-Saharan Africa. Even when US Congress voted to cut off military aid, President Jimmy Carter and the US business interests restored it.

However, the partisan nature of the US campaign against human rights violations became explicit in the Iranian case. The US and Britain overthrew the popularly elected government of Mohammed Mossadegh of Iran in 1953 leading to the enthronement of President Eisenhower who bid their tidings and began aggressive suppression and oppression of anti-US forces. In spite of these violations, Eze (2013) noted that, '...the US initiated a new era of cooperation with Iran, which involved technical and economic development, military cooperation and support, as well as the development of nuclear technologies for peaceful energy use, which actually began in 1957' (p. 40). With the 1979 revolution that produced anti-US government, the United States raised its sledgehammer, began to mobilize international alliance against Iran, and imposed many sanctions to enforce democratization, human rights, and compliance to international human rights provisions. The US has sponsored many Resolutions in the UNSC against Iran because of these factors.

Although Israel's case is peculiar due to its long-standing struggle for space and independent nationhood, it is not exempted from compliance with human rights provisions. It has

committed what many nations including Euro-American allies considered as genocide and serious human rights violations in the occupied territories. Israel has continued to build settlements in occupied territory in violation of the 4th Geneva Convention. Similarly, Amnesty International has always published reports of Israeli use of disproportionate force to kill dozens of Palestinian civilians, including children, in the occupied West Bank over the past three years with near-total impunity. The US has never condemned Israel's excessive use of force and brutal killings in the occupied territories, and when the UN Human Rights Council condemned such actions, the US withdrew its member of the organization in June 2018 citing bias against Israel and the body's failure to reform. Nevertheless, the withdrawal is inconsequential because US human rights behaviors are not subject to UNCHR review and sanctions neither has the US been at the vanguard of objective human rights protection across the world. The effect of the withdrawal will only reflect in the country's financial contribution to the Commission. It has used its economic and military power, sophisticated propaganda system and position in the UN Security Council to shield Israel from accountability for international crimes. Since 1966, the U.S. has vetoed 42 resolutions related to Israel and/or Palestine. Israel is the only country permitted to procure anything it wants from the US.

It is therefore concluded that while the US provides supports in different forms to many tyrants or authoritarian regimes due to strategic socio-economic, political and military alliance, it has continued to impose unilateral sanctions and pushes the United Nations Security Council to approve multilateral sanctions and foreign interventions against other countries committing the same human rights crimes like US allies. As a country, it has supported many autocratic and oppressive regimes in Saudi Arabia, South Korea, Egypt, Nigeria, Cameroon, Philippines, Taiwan, Pakistan, etc. with its national assets and resources while it has continued to impose visa restrictions, assets freezing, sanctions, and even sponsoring insurrections in many others countries whose human rights records are far better than those they are supporting. Such countries include Russia, China, Syria, Iraq, Afghanistan, Lebanon, South Sudan, the Democratic Republic of Congo, Iran, Venezuela, Myanmar, etc. Thus, the principle of neutrality is lacking in the US international human rights campaign.

4.3. Human Rights Regime and the US National Interest

The conclusion reached above concerning US international bias in its war against human rights violation points to the fact that the pursuit of national interest drives US international human rights campaigns. Considering the fact that the United States has severally withdrawn its membership of UNCHR, refused to ratify most of the major international human rights treaties, profusely disrespect or violate most of the human rights provisions, and cannot be held accountable by international human rights institutions and justice system, the acclaimed or perceived US involvement in international human rights campaign should be for ulterior motive. This motive was identified by scholars as securing reliable and cheap oil supply, which is essential for continued economic growth/dominance and military operations; and to ensure the safety of all who guarantee a stable international supply system (Klare 2004; Kraemer 2006). In the words of Pilger (2002), this national interest is summarised as follows:

“... the bribing and subjugation of corrupt and vulnerable governments in former Soviet central Asia, crucial for American expansion in the region and exploitation of the vast untapped reserves of oil and gas in the world; the expansion of the American arms industry; and the speeding up of trade liberalization.” (p.5)

This postulation is viable in explaining US commitments and support for despotic regimes particularly in the Persian Gulf or the Middle East (see Fordham, 2008). Consequently, geopolitical interests drive US foreign policy decisions and campaigns against conceived human rights violators (Flint et al., 2009).

For instance, there is documentary evidence that various governments in the Philippines have always adopted a policy of eliminating all forms of opposition. These reigns of terror were augmented and exacerbated by the US-initiated "global war on terror," which led to the launching of Operation Freedom Watch to counter insurgencies in the Philippines. Cumulatively, they led to an escalation in the numbers of serial killings of political activists, lawyers and judges who were involved in human rights activities and litigations. Other victims of government brutality include social critics, trade union leaders, human rights activists, journalists, church workers, traditional leaders, civilians, farmworkers and peasant leaders. In 2006 alone, the Philippine military and its paramilitary death squads killed an average of one activist every thirty-six hours. There were 152 documented cases of extrajudicial killings, 168 attempted killings, 18 instances of forced disappearance, 80 cases of torture, 608 cases of illegal arrest and more than 30,000 forced evacuations in the year alone. Yet, the United States turned blind eyes to these abuses, violations, and brutalities.

The reasons for US indifference to Philippines human rights violations are located in the fact that it was a US colony in the 20th century, a key strategic partner for US economic and strategic interests. US is hosting large military bases in Philippines such that played a pivotal role during US-Vietnam War, and are currently being used to counter China's rise influence and expanding threats in the South China Sea – a straight through which the US and other western allies transport over \$500 billion worth of goods to Asia annually. Consequently and in spite of the Philippines' negative human rights records, the United States supported the Marcos military dictatorship with massive economic and military aid between 1972 and 1986. Although these military bases in the Philippines were to close down in 1991/1992, a Visiting Forces Agreement (VFA), which allowed the United States to establish twenty-two "semi-permanent" bases in the archipelago, was entered into as a measure to douse raging mass opposition and protest against US bases in the country. Consequently, the US in addition to over \$507 million military assistance provided to the Philippines from 2001 to 2010, has continued to safeguard the country's interests in the Committee of nations, consistently supported the authoritarian regimes' attempts to end the Communist Party insurgency that has lasted for over forty-five years, and to provide assistance in the face of other domestic challenges regardless of Philippines' human rights abuses. US military aid in 2012 amounted to \$30 million, and in 2013, it was \$50 million.

Similarly, Nigeria – a country that is excessively blessed with many natural resources particularly oil - ratified virtually all the major international human rights instruments but has, ipso facto, continued to be a major violator of the provisions of such instruments. The military styled authoritarian character of governance in the country promotes weak rule of law and abuse of the Constitution, guarantees impunity of security forces, absence of freedoms, extra-judicial killings and unimaginable number of political assassinations, genocide, incarcerations and indefinite detentions without charges or trials, destruction of property by security forces, motorists' harassment and extortion by security personnel, rapes and child abuse, etc. (Francis, LaPin & Rossiasco, 2011; Afeno, 2014). Available records reveal that between 2006 and 2014, 12,078 civilians were killed extra-judicially by security forces (McCulley, 2013; Hamzat, 2013; Nzarga, 2014; Serrano & Zacharias, 2014). Other atrocities and human rights abuses prevailing in Nigeria up to 2016 was summarised by Zamfir (2016) in the following words:

“Amnesty International has collected evidence of more than 1 200 extrajudicial executions, the arbitrary arrest of least 20 000 people, countless acts of torture, and hundreds of enforced disappearances; allegedly, since March 2011, more than 7 000 men and boys have died in detention, due to starvation and thirst, severely overcrowded cells, torture and a complete lack of medical attention. Many of those arrested have been held in indefinite military detention and only a small number have appeared before the courts” (p. 2).

These shreds of evidence are sacrosanct in this era of international human rights regime in which the UN, US and its allies such as European Union (EU), Britain, etc. employ the instrument of multilateral and unilateral sanctions, and in some case military actions to punish violators. They unleashed their venoms on Nigeria prior to Nigeria's return to civil democracy in 1999. However, they turned blind eyes to Nigeria's bad human rights records since then in spite of Human Rights Watch and Amnesty International's well-documented reports of such abuses or violations. The US only imposed an embargo on arms sales to Nigeria as a result of gross violations of human rights in Benue State in October 2001 (The United States, 2004). Similar action was taken in 2016 against President Muhammadu Buhari's regime for disobedience to Court Orders and various Human rights Violations. However, the arms embargo was short-lived because of two important developments. First, Nigeria turned to US major international rivalries and competitors - Russia and China - through South Africa for the supply of military hardware and weapons. Second, Boko Haram – an Islamic terror group – was blacklisted by US government for its alleged link to international terrorist groups waging war against American interests in the Middle East because of its recorded massive and successful operations, which include the abduction of hundreds of Chibok schoolgirls, attack on UN buildings in Abuja, and suicide bombings that claimed hundreds of lives, etc. Consequently, the US reversed the earlier embargo on arms sales, began to send military experts to train Nigerian soldiers, and sold military hard wares and jet fighters to Nigeria, and equally offered different types of assistance to the same Nigerian governments that are involved

in gross human rights violations. Such assistances between 2003 and 2008 are presented in table 2, and between 2010 and 2012 are presented in Table 3 below as follows:

Table 2: US Assistance to Nigeria (in \$ millions, fiscal year)

Program	2003	2004	2005	2006	2007	2008
Development Assistance	23.3	13.6	14.8	12.5	24	31.4
Child survival & Health program Fund	47.9	42.5	28.2	21.5	32.4	31.3
Economic Support Fund	3.8	4.9	4.9	4.9	6.5	Nil
Foreign Military Financing	-	-	-	0.99	1	1.35
International military Education & Training	-	-	85.9	138.6	246.9	467.5
Internat. Narcotics control & Law Enforcement	-	-	2.2	0.99	0.4	1.2
Global HIV/AIDS Initiatives	-	-	-	0.79	0.69	0.8
Total	75.1	61.1	136.2	180.354	313.815	533.55

Source: Adams (December 2014: 26).

Table 3: US Assistance to Nigeria (in \$ millions, fiscal year)

(\$ in thousands)	FY2010 Actual	FY2011 Actual	FY2012 Request
Development Assistance	70,967	55,791	70,276
Foreign Military Financing	1,850	1,212	1,000
Global Health and Child Survival - State	471,227	471,227	471,227
Global Health and Child Survival - USAID	69,100	101,971	117,000
International Military Education and Training	1,016	940	950
International Narcotics Control and Law Enforcement	500	1,250	0
Nonproliferation, Antiterrorism, Demining and Related Programs	1,520	0	0
TOTAL	616,180	632,391	660,453

Source: Adapted from Adams (December 2014: 28).

It can, therefore, be deduced from the foregoing that the US altered or changed its international human rights campaign policy towards Nigeria's human rights violations because of her national interest. The sanctions regime opened the gate for Nigeria to embrace socialist values, which will automatically neutralize or terminate the dominance of western values in Nigeria, and erase Western neo-colonial dominance of Nigeria's political economy. It will also obliterate US influence on Nigeria's petro-dollar economy and reduce the US favored foreign exchange balance. Further, it will provide a valid background for the Middle East terrorist organizations to fight US economic interests in West Africa. It is not within the purview of this paper to evaluate the objectivity of these threats, however, it highlights the fundamental influence that US national interest on its international human rights campaign. Simply put, human rights violations are inconsequential in the face of threats to US national interest but have it ever been used as an instrument to advance such interest?

This riddle may be resolved through an analysis of US relations with countries like Iran, Syria, and Venezuela among others. However, the partisan nature of the US campaign against human rights violations became explicit in the Iranian case. As noted above, the US with the help of others enthroned a regime in Iran in 1953 that domesticated all values and introduced policies that guarantee its national interests. Consequently, the US turned blind eyes and deaf ears to the regime's human rights atrocities and sponsored Iran's development of its military-industrial complex and socio-economic sector through aid and military cooperation. But when the anti-US national interest regime emerged through the revolution of 1979, the US initiated sustained aggression with the ultimate goal of effecting regime change using autocracy, human rights violations, and nuclear proliferation as excuses. The US has continued to sponsor many Resolutions in the UNSC, organize regional networked diplomacy and conferences against Iran because of these factors. It has also, as alleged, sponsored internal insurgency and civil uprisings in Iran; and has continued to coordinate the efforts of some Persian Gulf countries to destabilize the country. Iranian nationalism, which threatens US national interests, is to be blamed for this US-led international aggression. In Syria, the US has demonstrated the supremacy of her national interest and the use of any international instrument such as human rights regimes to advance such interest. US supported the first post-Syrian independent president, Quwatli, because of his amenability to US interest in setting up a training mission to reshape the fledgling Syrian army and provide it with arms. However, the program was canceled when Syria voted against US-sponsored UN resolution calling for the partitioning of Palestine between Arabs and Jews in late 1947 (Waxman, 2017). This re-directed Syria search for arms towards the Soviet Union – America's worst and only international rivalry then. Quwatli's defeat in the Arab-Israeli war that led to the capture of Golan height orchestrated civil uprising that ushered in repression and authoritarianism in Syria. The US kept mute until Zaim - the then Syrian Chief of army staff requested for its assistance to overthrow Quwatli and implement America's agenda on oil, the Arab-Israeli conflict, and the communist party. Although the US-sponsored the coup, it made another unsuccessful attempt to remove Zaim from power in 1957 when Syria signed a friendship agreement with the USSR. Ever since then till date, the US has sponsored, supported, and mobilized international efforts to effect a regime change in Syria due to anti-American interest policies, repression of internal factions being sponsored by the US for that purpose, and Syria-Russia strong partnership in the international system. Central to US aggressive policy drive for regime change in Syria is the issue of serious human rights violations associated with the crackdown on opposition groups and insurgencies that metamorphosed into over eight years of civil war. In addition to sponsoring many UN Resolutions against Syria, which were of course vetoed by Russia, the US carried out a targeted military strike on the al Shayrat Syrian airfield in April 2018 in response to a chemical weapons attack that killed more than 80 oppositionists. The same policy of using a campaign for international human rights regimes to advance US national interests replicated itself in Venezuela and other places, but for want of space, this paper will not elaborate on them any longer.

5. Conclusion

Human rights are natural phenomena, relevant and applicable in every culture, value system, and level of socio-economic development. However, the evolution of the international human rights regime, which was masterminded by Western powers, has intrinsically carried with it western values, norms, and interests. Consequently, the human rights regimes serve as potent instruments in the hands of the US to advance its national interest in the international system regardless of the fact that the regime lacks jurisdiction over US human rights activities. These tend to undermine the regime's potency, advance resistance to and violations of the provisions of UDHR, and cause socio-cultural, economic and political conflicts across none western hemispheres.

This paper, therefore, recommends the convocation of international human rights conferences to articulate generally accepted principles of human rights that factor in divergent socio-cultural and economic values system, norms and mores. Second, all independent sovereignties of nations known to the modern world, who participated in the conference must sign and ratify the charter and must be accountable to the regime. No single country or value block shall be permitted or allowed to embark on human rights enforcement against another country or block if international wars are to be averted. The re-emergence of multilateralism in the 21st-century international relations validates these recommendations.

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