



A PFAWF Special Report

UN-dermined: The Right's Disdain for the UN and International Treaties

People For the American Way Foundation does not take positions on foreign policy matters such as specific treaties or the role of the United Nations, and this report should not be taken as an endorsement of any particular treaty. PFAWF does monitor, analyze, and publicize the influence of right-wing organizations on U.S. policies and policymakers. Far-right leaders' interests clearly extend beyond the nation's borders, and this report documents their efforts to influence American foreign policy.

The influence of right-wing political groups on domestic policy is well-known, but they are equally active on issues pertaining to foreign policy and international affairs. As explained in the attached PFAW special report, whether serving as apologists for Bush administration torture policies, opposing the ratification of the Genocide Convention and International Criminal Court, undermining treaties protecting the rights of women and children, dismissing the need for environmental treaties, or seeking to shut down the United Nations, the Radical Right has had extraordinary success undermining international treaties and organizations that do not serve the Right Wing agenda.

And with the nomination of John Bolton to be US Ambassador to the United Nations, it is likely that right-wing groups will have a powerful ideological ally on whom they can rely to help them fight these battles.

Fresh off their loss during the nuclear option showdown, many on the Right have regrouped and are now pushing Bolton's confirmation. At a time when US-UN relations have been strained by the war in Iraq, the nomination of Bolton, a blunt, career bureaucrat who has made no attempts to hide his hostility to the existence and mission of the UN, is a clear sign that the Bush administration has no intention of moderating its unilateralist stance or toning down its rhetoric.

Given Bolton's blatant disdain for the UN and diplomacy in general, a bipartisan collection of 59 former American diplomats openly opposed Bolton's nomination in a letter sent to Sen. Richard Lugar, chairman of the Senate Foreign Relations Committee. In it, the signatories voiced their concern that "given [Bolton's] past actions and statements, [he] cannot be an effective promoter of the U.S. national interest at the U.N.," and went on to strongly urge senators to oppose his nomination.¹ According to the *Washington Post*, even former Secretary of State Colin Powell has reportedly voiced his opposition to Bolton by "privately

¹ "American ex-diplomats urge to block Bolton nomination to U.N. post," USA Today, Associated Press, March 28, 2005

telling at least two key Republican lawmakers that Bolton is a smart but very problematic government official.”²

Republican Senator George Voinovich, in announcing his opposition to Bolton, stated

I believe that John Bolton would have been fired if he'd worked for a major corporation. ... This is not the behavior that should be endorsed as the face of the United States to the world community and the United Nations. Rather, Mr. Chairman, it is my opinion that John Bolton is the poster child of what someone in the diplomatic corps should not be.³

While diplomats and senators voice their deep concerns about Bolton, the Right is singing his praise. Given their long-held contempt for the United Nations, it is not surprising that Right Wing leaders are pushing hard for his confirmation.

For instance, Concerned Women for America routinely sends delegations to monitor UN conferences and eagerly publishes commentaries by right wing activists who allege that “scandal and unethical practices riddle the United Nations, and there is evidence that it is complicit in the spread of terror.”⁴ Thus, it comes as no surprise that CWA thinks “Bolton is exactly who the U.N. needs from the United States.”⁵

Likewise, Paul Weyrich of the Free Congress Foundation claims that “no one is better prepared [than Bolton] to represent our county before the United Nations.”⁶ Of course, Weyrich also believes “we do not need the United Nations now or in the future.”⁷

The attached report documents several examples of Right Wing success in undermining international treaties and organizations that do not promote its radical ideology.

² Jim VandeHei and Robin Wright, “Powell Playing Quiet Role in Bolton Battle,” Washington Post, April 22, 2005

³ “Transcript: Bolton Hearing, Pt. 1,” Fox News, May 12, 2005
<http://www.foxnews.com/story/0,2933,156368,00.html>

⁴ Katy Kiser, “The United Nations: An Untold Story,” Concerned Women for America, November 1, 2004

⁵ “CWA Says, You Can't Trust the Trust-Busters,” Concerned Women for American Press Release, May 27, 2005

⁶ Paul Weyrich, “John Bolton: A Commitment to Freedom and Human Rights,” NewsMax.com, April 13, 2005

⁷ Paul Weyrich, “We Do Not Need the United Nations Now or in the Future!,” NewsMax.com, March 10, 2003

**UN-dermined:
The Right's Disdain for the UN and International Treaties**

When he was running for president in 2000, then-Governor Bush was asked about the United States' role in the world and his foreign policy vision and he responded, "If we're an arrogant nation, they'll resent us. If we're a humble nation but strong, they'll welcome us."¹ This response dovetailed nicely with his "compassionate conservative" presidential campaign slogan, which was designed to create the impression that Bush was a different sort of Republican; the sort who did not necessarily share the Right Wing's traditionally confrontational style of domestic and international politics.

Four years later, it seems clear that Bush's talk of being a "humble" nation has, like his "compassionate conservative" rhetoric, has fallen by the wayside as his administration seeks to radically alter the domestic and international political landscape to fit its ideology.

President Bush recently named John Bolton to serve as Ambassador to the United Nations despite Bolton's apparent disdain for everything the UN stands for. In 1994, Bolton declared that

"There is no such thing as the United Nations. There is an international community that occasionally can be led by the only real power left in the world and that is the United States, when it suits our interest and we can get others to go along."²

Bolton's nomination has stalled amid concerns about his management style regarding allegations that he berated and retaliated against employees who did not share his views and worked to skew intelligence that did not support his agenda.

The administration's reputation for international unilateralism is, in many ways, a result of its ideological and political ties to the Right Wing. With their backing, the Bush administration has made it clear that it will not hesitate to obstruct, undermine or even destroy treaties designed to protect human rights, limit weapons proliferation, or protect the environment.

Torture

In January 2002, then-White House Counsel Alberto Gonzales authored a memo arguing that the treatment of those captured in the war in Afghanistan was not to be governed by the Geneva Convention.

The Geneva Convention grew out of concerns regarding the treatment of wounded soldiers in the late 19th century. Over the years it was expanded to cover the treatment of prisoners of war and civilians during war time. Additional protocols were issued in 1977 extending the Convention to cover guerrilla combatants and soldiers in wars of "self-determination" and while the U.S. signed these protocols, the Senate refused to ratify them.³

Relying, in part, on an earlier Department of Justice memo, Gonzales determined that the President had the authority to unilaterally decide that the Geneva Convention did not apply to al Qaeda or Taliban fighters captured in Afghanistan. Gonzales urged President Bush to exercise that authority because doing so would substantially “[reduce] the threat of domestic criminal prosecution under the War Crimes Act.” He argued that if the administration chose to abide by the Geneva Convention, it could open U.S. officials to prosecution under the 1996 War Crimes Act, which prohibits U.S. officials from committing “grave breaches” of the Geneva Convention.⁴

An earlier Department of Justice Office of Legal Counsel memo had concluded that “neither the War Crimes Act nor the Geneva Conventions” would apply regarding the treatment of prisoners captured in Afghanistan or held in Guantanamo Bay.⁵ In his own memo, Gonzales strongly seconded that view and argued that the Convention’s provisions were “obsolete” in the face of the war on terrorism and had, as such, been “render[ed] quaint.” Gonzales urged the President to determine that the Geneva Convention was inapplicable, as doing so “would create a reasonable basis in law that [the War Crimes Act] does not apply which would provide a solid defense to any future prosecution.”⁶

In August 2002, Gonzales received another memo from the Office of Legal Council, signed by then-Assistant Attorney General Jay Bybee, who was eventually nominated by President Bush to a seat on the 9th Circuit Court of Appeals and confirmed by the Senate. The August memo covered the CIA’s methods of interrogating suspected terrorists and concluded that only methods that were “specifically intended” to produce severe pain or permanent damage would constitute torture and be prohibited.⁷ Among the procedures that were apparently approved was “water boarding” in which prisoners are strapped down and forcibly submerged in water in order to make them believe they are drowning.⁸ The memo narrowed the definition of what constituted torture, concluding that only practices that caused pain equivalent to that associated with “serious physical injury, such as organ failure, impairment of bodily function or even death” would qualify.⁹

The President ultimately decided that the Geneva Convention would apply to Taliban detainees, but not to al Qaeda detainees.¹⁰ Administration officials also insisted that the Convention would be applied to prisoners in Iraq.¹¹ Yet, as chronicled by John Barry, Michael Hirsh and Michael Isikoff in their *Newsweek* investigation “The Roots of Torture,” Secretary of Defense Donald Rumsfeld was so impressed with the intelligence gathered from Convention-exempt al Qaeda prisoners in Guantanamo Bay that he worked to export the techniques to Iraq. Maj. Gen. Geoffrey Miller oversaw the implementation of a “72-point matrix for stress and duress” at Guantanamo Bay and, in September 2003, was sent to Iraq where he informed Brig. Gen. Janis Karpinski, who was in charge of running Iraqi detention facilities, that Abu Ghraib would henceforth be used for gathering military intelligence.¹² The approved techniques were then applied to prisoners at Abu Ghraib, despite the fact that, according to the International Committee of the Red Cross, “between 70 percent and 90 percent of the persons deprived of their liberty in Iraq had been arrested by mistake.”¹³

Gonzales did not act alone in attempting to help the Bush administration sidestep the restrictions found in international law. William Haynes, the General Counsel to the

Department of Defense, and current nominee to the U.S. Court of Appeals for the Fourth Circuit, played a key role in crafting legal opinions that, to some, appeared “designed to find legal loopholes that will permit the use of torture against detainees.”¹⁴ Haynes’s efforts to exempt the administration from the Geneva Convention, as well as the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, reportedly compelled some senior members of the military’s Judge Advocate General Corps (“JAG”) to approach the New York Bar Association to raise their concern that Haynes and other senior defense officials were creating “an atmosphere of legal ambiguity” that would lead to the mistreatment of detainees.¹⁵

When substantiated reports of prisoner abuse and other Geneva Convention violations, such as hiding “ghost detainees” from the International Committee of the Red Cross, first began appearing,¹⁶ many right-wing commentators instinctively insisted that it was just a few isolated incidents attributable to the actions of a “few bad apples” rather than the logical result of the Bush administration’s policies.¹⁷

Just days before Gonzales’ confirmation hearing, the Department of Justice released a memo officially rejecting the administration’s earlier views regarding torture, proclaiming that “torture is abhorrent both to American law and values and international norms.”¹⁸ While the Bush administration’s decision to exempt itself from key parts of the Geneva Convention has shocked and outraged many who value human rights and the protections the Convention ensures, with the urging and support of its right-wing base, the administration has worked to similarly exempt itself from, undermine, and oppose several other treaties during its first four years in office.

The Genocide Convention and the International Criminal Court

No international organization has been the target of more right-wing rage than the International Criminal Court (ICC). Created as a permanent means through which war crimes, crimes against humanity and genocide can be prosecuted, the ICC enjoyed widespread support when the relevant convention was drafted in 1998.

The movement toward an international criminal court began with the drafting of the “Convention on the Prevention and Punishment of the Crime of Genocide” following the Holocaust. The Genocide Convention defined the crime of genocide as any of a series of acts “committed with the intent to destroy, in whole or in part, a national, ethnical, racial, or religious group.” Article VI of the Convention provided that those charged with genocide “shall be tried ... by [an] international penal tribunal” but the Genocide Convention itself did not provide the means to create such a tribunal.¹⁹ And though the Genocide Convention was signed by the United States in 1948, it was not ratified by the Senate until forty years later.²⁰ It took another decade beyond that for the international community to realize the creation of an International Criminal Court. Throughout the process, the Right Wing opposed it vehemently and did so in a way that mirrored their 40-year campaign against the Genocide Convention itself.

Despite the fact that the Genocide Convention was ratified by the requisite 20 member states in 1951, for forty years right-wing groups, ranging from the racist, anti-Semitic Liberty

Lobby to the Eagle Forum, urged their allies in the Senate, such as Jesse Helms and Strom Thurmond, to do everything in their power to prevent U.S. ratification of the Genocide Convention.²¹ With the exception of Dwight Eisenhower, every president from Harry Truman to Ronald Reagan had endorsed the treaty,²² but right-wing groups nonetheless vigorously lobbied against its ratification.

In the early 1950's and 1960's, ultra-conservative opponents of the treaty warned that ratification of the Genocide Convention could lead to genocide prosecutions of American citizens for participating in lynchings, or that the United States could be held accountable for committing "genocide" against blacks or Native Americans.²³ Intentionally ignoring the Convention's own requirement that such actions qualified as genocide only if they were carried out with the intent to destroy such groups, opponents repeatedly asserted that it would endanger Jim Crow laws and undermine states' rights while putting American citizens at risk of being charged with genocide for engaging in discrimination or segregation.²⁴

Even after the Reagan administration began arguing in 1984 that ratification was necessary to blunt international criticism and charges of hypocrisy on the issue of human rights, right-wing groups and individuals continued to attack the Convention.²⁵ The Eagle Forum's Phyllis Schlafly called the Convention a "piece of propaganda and a constitutional embarrassment" as well as a "trap to ensnare American citizens and our allies."²⁶

Ignoring these attacks, the Senate finally adopted a resolution of ratification in 1986 by a vote of 83 to 11.²⁷ But even with the passage of the resolution, known as the Lugar-Helms-Hatch Sovereignty Package, the U.S. did not immediately become a party to the convention. At the insistence of several right-wing senators, ratification moved forward only with the additions of various "reservations," "understandings," and "declarations." The inclusion of these reservations in effect "defanged" the Genocide Convention, as Sen. Helms boasted during the ratification debate: "[T]his Genocide Convention upon which we are about to vote is purely symbolic. We might as well be voting on a simple resolution to condemn genocide."²⁸ The Sovereignty Package also stipulated that the U.S. would not officially become a party until the Senate enacted domestic legislation implementing the convention and almost another three years passed before that legislation, known as the Proxmire Act, was enacted.²⁹

Helms' view that ratification of the Genocide Convention was "purely symbolic" appears to be shared by members of the current administration. In September 2004, former Secretary of State Colin Powell, in testimony before the Senate Foreign Relations Committee, declared the situation in Darfur, Sudan to be "genocide." In ratifying the Genocide Convention, all parties pledge to "undertake to prevent and to punish" genocide, but in his testimony Secretary Powell essentially dismissed the notion that a genocide declaration carried any legal obligation by stating that "no new action is dictated by this determination" and that the administration is "not trying to punish ... the Sudanese government."³⁰

For more than forty years after the Genocide Convention came into effect, there remained no permanent means by which the international community could try those individuals accused of genocide.³¹ While international criminal tribunals have been created to prosecute war

crimes, genocide or crimes against humanity in places like Yugoslavia and Rwanda, such tribunals only cover crimes committed in these specific territories over a limited time period.³² Given the cumbersome and inefficient nature of such tribunals, the international community worked to create a permanent venue where any future individuals charged with genocide or similar crimes could be tried and punished.

The Genocide Convention provided for the creation of such a court, which was vehemently opposed by the Soviet Union on the grounds that it would violate state sovereignty.³³ The ability to create the court was only included at the insistence of the United States and thus it is more than a little ironic that, at the end of the Twentieth Century, the Right adopted many of the same objections to the court that the Soviet Union had voiced 50 years earlier.

The Rome Statute of the International Criminal Court was adopted by 120 countries on July 17, 1998 and the ICC entered into force on July 1, 2002 after officially receiving ratification by 60 countries.³⁴ Signed by President Clinton on December 31, 2000, the ICC treaty has, from the very beginning, been opposed by right-wing groups that contend that it will undermine American sovereignty and pose a direct threat to the American way of life.

Concerned Women for America approvingly cited Senator Jesse Helms' view that the ICC was little more than "an unaccountable kangaroo court."³⁵ The John Birch Society considered the ICC "an institutional monstrosity."³⁶ Meanwhile the Eagle Forum, whose leader, Phyllis Schlafly, was also a dedicated opponent of the Genocide Treaty, frantically declared that the court threatened all American citizens by putting them at risk of being detained by those "pompous bureaucrats" at the Hague who are "constantly devising plans to lock the United States into a world government" and demanded the passage of the American Servicemembers' Protection Act (ASPA).³⁷

The ASPA, pushed by Sen. Helms and Rep. Tom DeLay, not only prohibited U.S. cooperation with the ICC in any way. The bill also prohibited military assistance to any country that became a party to the ICC and granted the president the use of "all means necessary" to release any American or allied personnel being held for trial by the ICC.³⁸ Granting the president the right to use military force to "rescue" those being held for trial on war crimes, genocide or crimes against humanity charges led Human Rights Watch to dub the bill the "Hague Invasion Act" after President Bush signed it into law in 2002.³⁹ The final version of the bill granted the president the power to waive any of these restrictions that he deems necessary, but it nevertheless poses a grave threat to the ICC.⁴⁰

The Heritage Foundation supported the ASPA, and opposed the ICC for a wide variety of reasons. Calling the ICC an "outright violation of international law" and an "unchecked invitation to abuse and ... a political tool to restrain America's ability to defend its interests" Heritage claimed that it was "not sufficient for the United States to merely reject the treaty."⁴¹ Aware that "few international organizations can prosper without full U.S. participation,"⁴² Heritage urged the U.S. to "inform other countries that ratifying the ICC ... will be considered an unfriendly act directed at the United States" and that such an act "will adversely affect bilateral relations." They also recommended that the U.S. should "condition the disbursement of foreign assistance upon a recipient's rejection of the ICC treaty" and

“prevent any funding from going to the ICC.” Coupled with these actions, the U.S. should also “demand that Americans serving in multilateral peacekeeping operations ... be exempt from ICC jurisdiction” and veto any UN Security Council attempts to “refer a matter to the ICC for investigation.”⁴³

Perhaps the most common reason right-wing groups gave for opposing the ICC was that it did not provide all the protections afforded to Americans in the Bill of Rights, most notably the right to trial by jury of one's peers and to confront one's accusers, as well as any sort of prohibition of double jeopardy. But according to Human Rights Watch, both the right to confront witnesses and protection against double jeopardy are explicitly provided in the Rome Statute. In fact, outside of the near impossibility of providing a jury of one's peers for the likes of Slobodan Milosevic or Saddam Hussein, the ICC contains comprehensive protections akin to those offered by the Bill of Rights. As former U.S. State Department Legal Advisor Monroe Leigh notes, “the list of due process rights guaranteed ... are, if anything, more detailed and comprehensive than those in the ... Bill of Rights.” Furthermore, the United States has routinely signed extradition treaties with countries that do not afford the protections found in the Bill of Rights.⁴⁴

Nonetheless, right-wing groups and the Bush administration opposed the ICC and set out to eviscerate it. The first course of action following the treaty's entry into force was for the U.S. to threaten to veto a Security Council resolution extending the UN peacekeeping mission in Bosnia in July 2002. The day after the ICC officially came into existence, the Bush administration cast its veto and demanded that American troops be exempted from possible ICC prosecution.⁴⁵ After a few delays, the UN Security Council eventually granted American peacekeepers exemption from ICC prosecution for one year.⁴⁶ Making it clear that “one thing we're not going to do is sign on to the International Criminal Court,” Bush set out to secure Article 98 bilateral immunity agreements.⁴⁷ Article 98 of the Rome Statute prohibits the court from requesting surrender or assistance from a state if such a request would violate that state's obligations under some other international treaty.⁴⁸ Thus, the Bush administration immediately began seeking such “immunity agreements” from members of the European Union and other countries around the world.

In 2004, Rep. George Nethercutt inserted an amendment⁴⁹ into the Consolidated Appropriations Act of 2005 that prohibited any money from the Economic Support Fund from being used to provide assistance to any “country that is a party to the International Criminal Court and has not entered into an [Article 98] agreement with the United States.”⁵⁰ As the *Washington Post* reported, this stipulation could end up restricting USAID programs designed to promote democracy and peace and combat drug trafficking.⁵¹

As of May 2005, the U.S. had signed such agreements with 100 countries.⁵²

Going one step further, on May 6, 2002, President Bush made the extraordinary decision to officially withdraw from the ICC, less than a year-and-a-half after President Clinton had added his signature to the Rome Statute. In a letter sent by John Bolton, then Under Secretary of State for Arms Control and International Security, to UN Secretary General Kofi Annan, the Bush administration made it clear that the U.S. “does not intend to become a

party to the treaty” and therefore has “no legal obligations” under it.⁵³ Bolton later claimed that the day he signed that letter was “the happiest moment of my government service.”⁵⁴

No administration has ever revoked a former president’s signature on a treaty and Human Rights Watch roundly condemned this “unprecedented diplomatic maneuver.” Noting that only the United States and Libya were actively opposing the ICC, HRW warned that the President’s decision had placed the administration “on the wrong side of history” in opposition to “the most important new institution for enforcing human rights in fifty years.”⁵⁵ Right-wing groups saw it differently, with the Eagle Forum calling it a “welcome step”⁵⁶ while the libertarian Cato Institute’s Gary Dempsey said that by withdrawing from the ICC, Bush had shown “true leadership [by] pursuing policies that are in America’s national interest ... [rather than] doing things because they will make other countries happy.”⁵⁷ President Bush defended his decision to withdraw from the treaty during the first 2004 presidential debate against Sen. John Kerry. Claiming that it was run by “unaccountable judges and prosecutors [who] can pull our troops or diplomats up for trial,” Bush suggested that he and Kerry had different views on the matter and that Kerry’s support of the ICC was driven, in part, by a desire “to be popular” with the international community.⁵⁸

Since the statute was adopted in 1998, 99 countries have become parties to the International Criminal Court.⁵⁹

Since its inception, the Right’s opposition to the ICC has been based mostly on speculation that U.S. citizens or soldiers would be hauled before foreign judges to answer trumped-up, politically motivated charges. For the most part, such opposition to the court had little concrete impact, as the court was just beginning to function. But that changed with the UN’s International Commission of Inquiry on Darfur report in January 2005.

The International Commission was dispatched to Darfur, Sudan in September 2004 to “investigate reports of violations of international humanitarian law and human rights law.” The resulting report concluded that “serious violations of international human rights and humanitarian law amounting to crimes under international law” had occurred and strongly recommended that the UN Security Council refer the situation to the International Criminal Court for possible prosecution.⁶⁰ Not surprisingly, the Bush administration was reluctant to do that as it did not wish “to be party to legitimizing the I.C.C.”⁶¹ Instead, it wanted prosecutions to be handled by the current international tribunal hearing cases stemming from the 1994 genocide in Rwanda⁶², which was odd in light of the fact that in 2002, the administration complained that the tribunal was too costly, too slow and “too removed from the everyday experience of the people and its victims” and urged that it be shut down by 2008.⁶³ Furthermore, the International Commission’s report itself “strongly advises” against creating such an *ad hoc* tribunal because it would be too expensive, too slow and could undermine the tribunal’s other responsibilities.⁶⁴

Considering that the majority of the members of the Security Council are parties to the ICC⁶⁵ and that most of the European nations on the council support the court as well as the decision to refer the alleged crimes to the ICC,⁶⁶ the Bush administration faced a difficult choice: it could support the effort; it could abstain from the vote; or it could veto the resolution, which

would have greatly damaged its credibility. Human Rights Watch, which has accused the Bush administration of “creating a deadly delay for the people of Darfur by attempting to block the UN Security Council from referring Darfur atrocities to the International Criminal Court,”⁶⁷ urged the administration to either support, or at least abstain, from efforts to refer the case to the ICC: “As the ICC presents the way to best ensure that those most responsible for committing atrocities in Darfur are held to account, the people of Darfur deserve nothing less.”⁶⁸ But the Bush administration appeared to have other concerns; for it, “the ICC is a total non-starter.”⁶⁹

Eventually, the international pressure became too great and the Bush administration chose not to veto the resolution, but instead abstained, after an amendment was added granting non-member states “exclusive jurisdiction” over their nationals for any crimes committed in Sudan.⁷⁰

The Rights of Women and Children

Since 1980, the United Nations’ Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) has languished, unratified, in the United States Senate.⁷¹ Signed by President Jimmy Carter in 1980, CEDAW was designed to provide a “basis for realizing equality between women and men through ensuring women's equal access to, and equal opportunities in, political and public life -- including the right to vote and to stand for election -- as well as education, health and employment.”⁷² But the Right sees it as a nefarious plot to legalize prostitution, eliminate Mother’s Day and destroy American sovereignty.

The Right was mostly silent on the treaty for years, until it was reintroduced for ratification in the Senate Foreign Relations Committee in 2002. Faced with the possibility that the United States might finally ratify the treaty after 22 years of neglect and join the other 179 nations that have already done so,⁷³ the Right swung into action, unleashing a coordinated campaign to denigrate and ultimately destroy it. Claiming that, for years, CEDAW “was largely an irrelevant piece of feminist propaganda,” the Family Research Council warned that, if ratified, it would “radically reengineer the social order” of the United States and destroy “representative government as we know it.”⁷⁴ Going a step further, Austin Ruse of the Catholic Family and Human Rights Institute claimed CEDAW was “just about the most dangerous treaty that the U.S. government has ever considered ratifying.”⁷⁵

Janice Shaw Crouse of the Beverly LeHaye Institute and Wendy Wright of Concerned Women for America railed against the treaty, accusing those who supported it of “shamelessly using the legitimate needs of women around the world to push a frivolous and morally corrupt agenda.”⁷⁶ The Federalist Society published a white paper written by Wright and Thomas Jipping, also of the CWA, warning that if CEDAW was ratified, “virtually every aspect of American self-government would eventually be swept away.”⁷⁷

The Eagle Forum, whose leader, Phyllis Schlafly, is widely considered the driving force behind the defeat of the Equal Rights Amendment, took the lead in opposing CEDAW. Claiming that the treaty was mainly supported by “Clintonista feminists,” Schlafly proclaimed that “whining feminists induce some men to do foolish things, and endorsing this

terrible treaty is one of the most foolish.” Alleging that ratification of the treaty would be little more than “craven kowtowing to the radical feminists,” Schlafly urged President Bush to “unsign it just as he unsigned the International Criminal Court Treaty.”⁷⁸ Elsewhere, she advocated even more drastic action, calling on the Senate to “reject all United Nations treaties because they create committees of busybody foreigners to monitor U.S. compliance, demanding that we change our laws and customs to conform to global dictates.”⁷⁹

Along with opposing the treaty granting equal rights to women, the Right vehemently opposed another UN treaty designed to protect the rights of children. Adopted in 1989, the Convention of the Rights of the Child sought to guarantee all children under the age of 18 various civil, political, cultural and social rights in order to protect them from economic and sexual exploitation.⁸⁰ When President Clinton signed it in 1995,⁸¹ the Right leapt into action and has so far succeeded in preventing it from being ratified by the Senate, despite the fact that it has already been ratified by 192 other nations.⁸²

Led by former Senator Jesse Helms, who called the treaty an “insane interpretation of international law” that was “incompatible with the God-given right and responsibility of parents to raise their children,” the Right trotted out a sundry list of hypothetical catastrophes that would be inflicted upon American parents.⁸³

Phyllis Schlafly speculated that children would be granted the right to refuse to do their homework or household chores and allow them to demand to watch television while, at the same time, requiring the U.S. government to raise taxes and even “set up a national system of daycare.” She also warned that those in charge of overseeing implementation of the treaty would probably be hostile to “American institutions and traditions” creating rampant “international busybodyism.”⁸⁴

Others on the Right repeatedly warned that ratification of the treaty would threaten parents’ rights to home-school their children and end up “replacing organized religion with state-run therapy.”⁸⁵ In the end, it would allow the “government [to] assume the primary role of rearing your children.”⁸⁶ And while Schlafly predicted that, if the treaty ever became U.S. law, it would somehow “diminish the status of existing American rights,”⁸⁷ the John Birch Society warned that only one new right would be created: the right to “rebel against parental authority.”⁸⁸

While the CRC has been ratified by 192 nations, to date only two nations that formally signed the treaty have not yet ratified it: the United States and Somalia.⁸⁹

Kyoto Protocol

During his presidency, George W. Bush has repeatedly worked to emasculate various treaties that do not serve his agenda, as evidenced by the decision to withdraw from the Kyoto Protocol mere months after coming into office.⁹⁰ The landmark treaty was designed to limit the greenhouse gasses that are causing global warming and was signed by the Clinton administration in 1998.⁹¹

Right-wing groups immediately attacked the treaty, repeatedly insinuating that global warming is “junk science” and calling the treaty itself “fraudulent” and “a scam.”⁹² The Eagle Forum, which led the opposition to the treaty, claimed that global warming predictions “are no more reliable than the weatherman’s guess of how much snow will fall in the next 30 years.”⁹³ Phyllis Schlafly, president of the Eagle Forum, said the treaty was supported only by those with “anti-American interests,” such as socialists, radical environmentalists, dictators, Democrats and foreigners whose main goal was to “reduce our standard of living.”⁹⁴

Concerned Women for America warned that the treaty would “cost our economy hundreds of billions of dollars per year in lost jobs and economic activity”⁹⁵ all, as Citizens for a Sound Economy claimed, “for the sake of something that the world’s best scientists can’t agree is a problem.”⁹⁶

The Federalist Society reprinted a piece written by conservative columnist Linda Bowles in which she claimed that “global warming is nothing more than an educated guess.” Bowles went on to warn against trusting scientists who “are still arguing about what happened to the dinosaurs” before conspicuously noting that Al Gore’s book Earth in the Balance was “one of the Unabomber’s favorite reads.”⁹⁷

For its part, the Bush administration agreed and claimed somewhat paradoxically that since the treaty had never been ratified by the Senate nor had, at that time, the requisite number of states ratified it to bring it into effect, the U.S. was not really withdrawing from the treaty because there was “nothing to withdraw from because there’s no treaty in effect.”⁹⁸ Since the protocol was initially drafted, a total of 141 nations have ratified it and it officially went into effect in February of 2005.⁹⁹

United Nations

Right-wing opposition to the UN as an institution is nothing new. Since the days of Joseph McCarthy, right wingers have seen the United Nations, in the words of Pulitzer Prize-winning author Samantha Power, as a vehicle of “world government and socialism that would swallow U.S. sovereignty and aid in a Communist plot to rule ... the world.”¹⁰⁰ The Right’s antipathy toward the UN has been constant for over 50 years, but the war in Iraq has served as a catalyst for renewed calls to “get the U.S. out of the UN.”¹⁰¹

In the fury over the UN’s refusal to grant President Bush a second resolution authorizing military action in Iraq, right-wing leaders ratcheted up their rhetoric as they took to the pages of national newspapers and the Internet to encourage the President to not only ignore the UN but to withdraw from it altogether. The Free Congress Foundation’s Paul Weyrich boldly proclaimed that “we do not need the United Nations now or in the future” and that it “would be to our everlasting benefit” for the UN to “[cease] to be a serious instrument of our foreign policy.”¹⁰²

In May 2003, WorldNetDaily dedicated an entire issue of its *Whistleblower* magazine to attacking the United Nations. In his column as editor and publisher of the magazine, Joseph Farah flatly proclaimed that “America has no business in the United Nations” and that the

UN is not “just a group of incompetent busybodies. It is, instead, a global criminal enterprise determined to shift power away from individuals and sovereign nation-states to a small band of unaccountable international elites.”¹⁰³ Amid such features as “Time to Renounce the United Nations?,” “The UN’s Global Kangaroo Court,” and “UN Coming for Your Guns,” Henry Lamb, chairman of Sovereignty International, declared that the U.S. should “immediately stop all funding to all UN agencies and organizations.” He also called on Congress to establish a committee to review “each and every UN agency to determine whether or not it serves any useful purpose for the United States or its allies.” If it is determined that they do not, the “formal withdrawal should follow.”¹⁰⁴

In 2005, Republican Representative Ron Paul of Texas re-introduced “The American Sovereignty Restoration Act,” legislation that would close UN headquarters in New York as well as end United States membership in the UN and U.S. participation in any and all treaties, conventions or agreements with the UN and any of its affiliated bodies.¹⁰⁵ As Rep. Paul explained in 2003, “the United Nations is dangerous to our republic and therefore we ought not to participate.”¹⁰⁶ Several right-wingers apparently agreed. When the bill was introduced back in 2003, the Eagle Forum of California vowed to support it because “getting out of the UN would solve so many of America’s biggest problems,”¹⁰⁷ while ConservativeAlerts accused the UN of marching the US towards a “vision of a socialistic, one-world government.” As such, it was imperative that the Right support Paul’s bill if there was to be any hope of “untangl[ing] ourselves from this socialist one-world monstrosity.”¹⁰⁸ When Rep. Paul offered an amendment to the bill creating the Millennium Challenge Account in July 2003 to “prohibit funds from being authorized to be used to pay any U.S. contribution to the United Nations or any affiliated agency of the United Nations,” the House rejected it by a vote of 74 to 350.¹⁰⁹

Paul Weyrich summed up the Right’s views when he demanded that the U.S. “get out of the UN and start over.” As he saw it, the UN was a form of world government and “I am against any sort of world government. It would only mean that a cabal who hates our religions and our way of life could gang up on the USA. No good could possibly come from such an institution.”¹¹⁰

Conclusion

In recent years, the Right’s disdain for the UN specifically and for international treaties in general has led it to oppose an array of other treaties such as the Comprehensive Test Ban Treaty, the Anti-Ballistic Missile Treaty, the Biological Toxins and Weapons Convention, the Chemical Weapons Convention and the Law of the Sea Treaty. And on nearly every issue, the Bush administration has shared the Right’s views and worked to weaken these treaties.

The war in Iraq has, in the words of Phyllis Schlafly, afforded the U.S. the opportunity to tell much of the world “Bug off.” In 2003, Schlafly savaged our “so-called allies” for seeking to abide by international laws designed to protect human rights and hold wrong-doers accountable, claiming that “Our so-called European allies, whom American blood and treasure have again and again protected against military aggression and economic ruin, deserve a prize for impertinence.”¹¹¹

For more than four years, the domestic agenda pushed by President Bush and the Senate leadership has been driven by the Republican Party's right-wing base. The nomination of John Bolton is merely the most recent evidence that the Right Wing agenda extends well beyond our shores.

¹ Transcript, "Second Presidential Debate," October 11, 2000

² Jacob Heilbrunn, "U.N. May Need Bolton's Bitter Medicine," Los Angeles Times, March 9, 2005

³ Patrick Farrell, "What is the Geneva Convention," History News Network, February 28, 2002

⁴ Draft Memorandum for the President from Alberto Gonzales, "Re: Decision re application of the Geneva Convention on Prisoners of War to the conflict with al Qaeda and the Taliban," January 25, 2002

⁵ Michael Isikoff, "Memos Reveal War Crimes Warnings," Newsweek, May 17, 2004

⁶ Draft Memorandum for the President from Alberto Gonzales, "Re: Decision re application of the Geneva Convention on Prisoners of War to the conflict with al Qaeda and the Taliban," January 25, 2002

⁷ Michael Isikoff, Daniel Klaidman and Michael Hirsh, "Torture's Path," Newsweek, December 27, 2004

⁸ David Johnston and James Risen, "Aides Say Memos Backed Coercion for Qaeda Cases," New York Times, June 27, 2004

⁹ Ibid.

¹⁰ "Statement by the Press Secretary on the Geneva Convention," White House Press Briefing, May 7, 2003.

¹¹ Dennis Cook, "Rumsfeld: US Interrogation Techniques Don't Violate Geneva Conventions," USA Today, May 13, 2004

¹² John Barry, Michael Hirsh and Michael Isikoff, "The Roots of Torture," Newsweek, May 24, 2004

¹³ "Red Cross: Iraq Abuse 'Tantamount to Torture,'" Associated Press, May 11, 2004

¹⁴ Jess Bravin, "Pentagon Report Set Framework For Use of Torture," Wall Street Journal, June 7, 2004,

¹⁵ Joe Conason, "Lack of Protection," Salon.com, May 11, 2004

¹⁶ Josh White, "Military Intelligence Ordered Captives Hidden, Court Told," Washington Post, August 5, 2004

¹⁷ Kathleen Parker, "A Few Bad Apples, Tens of Thousands of Good Men and Women," Townhall.com, May 5, 2004

¹⁸ R. Jeffrey Smith and Dan Eggen, "Justice Expands 'Torture' Definition," Washington Post, December 31, 2004

¹⁹ Office of the High Commissioner for Human Rights, "Convention on the Prevention and Punishment of the Crime of Genocide," http://www.unhchr.ch/html/menu3/b/p_genoci.htm

²⁰ Nadine Cohodas, "1948 Treaty Goes Into Effect: Congress Clears Bill Making Genocide a Crime," Congressional Quarterly, October 22, 1988

²¹ Peter Ronayne, Never Again: The United States and the Prevention and Punishment of Genocide Since the Holocaust, Rowman & Littlefield Publishers, Inc., Copyright 2001, p.23-35

²² Lawrence J. LeBlanc, The United States and the Genocide Convention, Duke University Press, Copyright 1991, p.5

²³ Peter Ronayne, Never Again: The United States and the Prevention and Punishment of Genocide Since the Holocaust, Rowman & Littlefield Publishers, Inc., Copyright 2001, p.21

²⁴ Ibid., p.21-22

²⁵ Ibid., p.36

²⁶ Ibid., p.38

²⁷ Ibid., p.40

-
- ²⁸ Samantha Power, "The United States and Genocide Law: A History of Ambivalence," The United States and the International Criminal Court, Edited by Sarah Sewall and Carl Kaysen, Rowman & Littlefield Publishers, Inc., Copyright 2000, p.166
- ²⁹ Lawrence J. LeBlanc, The United States and the Genocide Convention, Duke University Press, Copyright 1991, p.1-2
- ³⁰ "US Senator Richard G. Lugar (R-IN) Holds Hearing on Sudan," Political Transcripts by Federal Document Clearing House, September 9, 2004
- ³¹ Lawrence J. LeBlanc, The United States and the Genocide Convention, Duke University Press, Copyright 1991, p.154
- ³² Barnaby Mason, "Q&A: International Criminal Court," BBC News, July 13, 2002
- ³³ Lawrence J. LeBlanc, The United States and the Genocide Convention, Duke University Press, Copyright 1991, p.151-152
- ³⁴ "Chronology of the International Criminal Court," <http://www.icc-cpi.int/atagance/whatistheicc/chronology.html>, Accessed February 2, 2005
- ³⁵ Janice Shaw Crouse, "United States Reverses Clinton Endorsement of the International Criminal Court," Concerned Women for America, January 1, 2002
- ³⁶ William F. Jaspers, "International Court of Criminals," The New American, July 3, 2000
- ³⁷ Phyllis Schlafly, "The Many Assaults on US Sovereignty," Eagle Forum, June 2002
- ³⁸ "American Servicemen Protection Act 2002: AKA The Hague Invasion Act," USA for ICC, <http://www.usaforicc.org/facts ASPA.htm>, Accessed April 28, 2003
- ³⁹ "Hague Invasion Act' Becomes Law," Press Release, Human Rights Watch, August 3, 2002
- ⁴⁰ "American Servicemen Protection Act 2002: AKA The Hague Invasion Act," USA for ICC, <http://www.usaforicc.org/facts ASPA.htm>, Accessed April 28, 2003
- ⁴¹ Lee A. Casey and David B. Rivkin, Jr., "The International Criminal Court vs. the American People," Heritage Foundation, February 5, 1999
- ⁴² Brett D. Schaefer, "Overturning Clinton's Midnight Action on the International Criminal Court," Heritage Foundation, January 9, 2001
- ⁴³ Lee A. Casey and David B. Rivkin, Jr., "The International Criminal Court vs. the American People," Heritage Foundation, February 5, 1999
- ⁴⁴ "Myths and Facts About the International Criminal Court," Human Rights Watch, <http://www.hrw.org/campaigns/icc/facts.htm>, Accessed February 2, 2005
- ⁴⁵ Serge Schmemmann, "US Vetoes Bosnia Mission, Then Allows 3-Day Reprieve," New York Times, July 1, 2002
- ⁴⁶ Colum Lynch, "US Wins 1-Year Shield from War Crimes Court," Washington Post, July 13, 2002
- ⁴⁷ Bill Sammons, "Bush Vows US Won't Sign on to World Court," The Washington Times, July 3, 2002
- ⁴⁸ Rome Statute of the International Criminal Court, Article 98
- ⁴⁹ "Nethercutt Amendment: Cutting Off Our Nose to Spite Our Face," Fact Sheet, Citizens for Global Solutions, July 23, 2004
- ⁵⁰ Consolidated Appropriations Act, 2005, H.R. 4818, Sec. 574
- ⁵¹ Colum Lynch, "Congress Seeks to Curb International Court," Washington Post, November 22, 2004
- ⁵² "U.S. Signs 100th Article 98 Agreement," US State Department Press Statement, May 3, 2005
- ⁵³ "International Criminal Court: Letter to UN Secretary General Kofi Annan," Press Release, US State Department, May 6, 2002
- ⁵⁴ Glenn Kessler and Colum Lynch, "Critic of U.N. Named Envoy," Washington Post, March 8, 2005
- ⁵⁵ "United States 'Unsigning' Treaty on War Crimes Court," Press Release, Human Rights Watch, May 6, 2002
- ⁵⁶ Phyllis Schlafly, "Protect Americans, Repudiate the ICC," Eagle Forum, April 10, 2002
- ⁵⁷ Gary T. Dempsey, "America Leads by Leaving the ICC," Cato Institute, April 21, 2003
- ⁵⁸ Transcript, "First Presidential Debate," September 20, 2004
- ⁵⁹ Ratification Status of the Rome Statute, Rome Statute of the International Criminal Court, Accessed June 1, 2005, <http://untreaty.un.org/ENGLISH/bible/englishinternetbible/partI/chapterXVIII/treaty10.asp>
- ⁶⁰ United Nations, "Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General," January 25, 2005, p.2-5
- ⁶¹ Warren Hoge, "US Lobbies UN on Darfur and International Court," New York Times, January 29, 2005
- ⁶² Ibid.

-
- ⁶³ Ben Barber, "US Calls UN Tribunals Wasteful, Wants Them Closed," *Washington Times*, March 1, 2002
- ⁶⁴ United Nations, "Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General," January 25, 2005, p.146-148
- ⁶⁵ Letter to Condoleezza Rice, "US: ICC Best Chance for Justice in Darfur," *Human Rights Watch*, January 21, 2005
- ⁶⁶ Warren Hoge, "US Lobbies UN on Darfur and International Court," *New York Times*, January 29, 2005
- ⁶⁷ "US Fiddles Over ICC While Darfur Burns," Press Release, *Human Rights Watch*, January 31, 2005
- ⁶⁸ Letter to Condoleezza Rice, "US: ICC Best Chance for Justice in Darfur," *Human Rights Watch*, January 21, 2005
- ⁶⁹ Nicholas Kravov, "Separate Tribunals for Darfur Sought," *Washington Times*, February 2, 2005
- ⁷⁰ United Nations Security Council Resolution 1593, Provision 6, March 31, 2005
- ⁷¹ "CEDAW: The Importance of U.S. Ratification," Center for Reproductive Rights, January 2004
- ⁷² "Convention on the Elimination of All Forms of Discrimination against Women," United Nations - Division for the Advancement of Women / Department of Economic and Social Affairs, <http://www.un.org/womenwatch/daw/cedaw/>
- ⁷³ "State Parties," United Nations - Division for the Advancement of Women / Department of Economic and Social Affairs, <http://www.un.org/womenwatch/daw/cedaw/states.htm>
- ⁷⁴ Kenneth L. Connor, "The Feminists' CEDAW: What Women Want?," *Family Research Council*, October 25, 2002
- ⁷⁵ Ben Taylor, "'Dark, Dark Territory'," *Citizen Link, Focus on the Family*, June 5, 2002
- ⁷⁶ Janice Shaw Crouse & Wendy Wright, "Motherless Mandate: The Pressure is on the US Senate to Ratify a Radical UN Treaty," *The Institute for Religion and Democracy*, June 14, 2002
- ⁷⁷ Thomas L. Jipping & Wendy Wright, "CEDAW Treaty Would Undermine American Sovereignty," *Federalist Society for Law and Public Policy Studies*
- ⁷⁸ Phyllis Schlafly, "UN Treaty on Women," *Townhall.com*, May 22, 2002
- ⁷⁹ "Conservative Agenda for 2003," *The Phyllis Schlafly Report, Eagle Forum*, January 2003
- ⁸⁰ "Humankind Owes the Child 'the Best it has to Give,'" *Amnesty International*, September 1, 1999
- ⁸¹ Robin Wright, "Globally Embraced Child Rights Treaty Languishes in US," *Los Angeles Times*, November 18, 1999
- ⁸² "Convention on the Rights of the Child: Introduction," UNICEF, <http://www.unicef.org/crc/crc.htm>
- ⁸³ Robin Wright, "Globally Embraced Child Rights Treaty Languishes in US," *Los Angeles Times*, November 18, 1999
- ⁸⁴ Phyllis Schlafly, "The New World Order Wants Your Children," *Eagle Forum*, March 1993
- ⁸⁵ Christopher Check, "Our Global Parents: The Convention on the Rights of the Child," *Chronicles*, October 1995
- ⁸⁶ "UN Rights of the Child," *Concerned Women for America*, August 7, 1997
- ⁸⁷ Phyllis Schlafly, "The New World Order Wants Your Children," *The Phyllis Schlafly Report, Eagle Forum*, March 1993
- ⁸⁸ Jane H. Ingraham, "UN Takeover of the Child," *The New American*, August 8, 1994
- ⁸⁹ "Convention on the Rights of the Child: Introduction," UNICEF, <http://www.unicef.org/crc/crc.htm>
- ⁹⁰ "Dismay as U.S. drops climate pact," *CNN.com*, March 29, 2001
- ⁹¹ "U.S. signs global warming treaty," *CNN.com*, November 12, 1998
- ⁹² "Group Criticizes Clinton's Reliance on 'Junk Science,'" *Citizens for a Sound Economy*, June 26, 1997; Linda Bowles, "Global Warming is Nothing More than an Educated Guess," *Creator Syndicate*, 2001, reprinted on the *Federalist Society* webpage; Phyllis Schlafly, "Kyoto's Goal = Kick the US," *The Phyllis Schlafly Report, Eagle Forum*, July 2001
- ⁹³ Phyllis Schlafly, "Beware of Clinton's 'Web' of Treaties," *Eagle Forum*, September 18, 1998
- ⁹⁴ Phyllis Schlafly, "Kyoto's Goal = Kick the US," *The Phyllis Schlafly Report, Eagle Forum*, July 2001
- ⁹⁵ "UN Global Climate Treaty," *Concerned Women for America*, December 5, 1997
- ⁹⁶ "Activists Protest Global Warming Treaty," *Citizens for a Sound Economy*, March 7, 2000
- ⁹⁷ Linda Bowles, "Global Warming is Nothing More than an Educated Guess," *Creator Syndicate*, 2001, reprinted on the *Federalist Society* webpage
- ⁹⁸ White House Press Briefing by Ari Fleischer, March 28, 2001

⁹⁹ Shankar Vedantam, "Kyoto Treaty Takes Effect Today," Washington Post, February 16, 2005

¹⁰⁰ Samantha Power, A Problem from Hell: American and the Age of Genocide, Perennial, 2002, p. 76

¹⁰¹ Cal Thomas, "U.S. out of U.N. – Now!," Townhall.com, December 8, 2004

¹⁰² Paul Weyrich, "We Do Not Need the United Nations Now or in the Future!," NewsMax.com, March 10, 2003

¹⁰³ Joseph Farah, "Quit the UN," Whistleblower, Volume 12, No. 5, May 2003

¹⁰⁴ Henry Lamb, "New World Re-Order," Whistleblower, Volume 12, No. 5, May 2003

¹⁰⁵ "American Sovereignty Restoration Act of 2005," H.R. 1146, Introduced in the US House of Representatives on March 8, 2005

¹⁰⁶ Cheryl K. Chumley, "Conservatives Voice Misgivings over UN Membership," Washington Times, March 9, 2003

¹⁰⁷ Orlean Koehle, "The Women's Movement in History and Today," Eagle Forum of California

¹⁰⁸ "Help get the US out of the UN," ConservativeAlerts.com, March 21, 2003

¹⁰⁹ Roll Call Vote 364, House of Representatives, 108th Congress – 1st Session

¹¹⁰ Paul Weyrich, "Get Out of the UN, Start Over," Free Congress Foundation Commentaries, December 7, 2004.

¹¹¹ Phyllis Schlafly, "The Impertinence of our So-Called Allies," Eagle Forum, June 25, 2003