

The Effects of the “Black Lives Matter” Movement on the International Approach of the US Government to Human Rights

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Abstract

The “Black Lives Matter” civil rights movement has left profound effects on the international approach of the US government toward human rights. This movement reached its peak in 2020 and profoundly affected culture, politics, and policy making in the US. The two major parties reacted differently – the Democrats showed support but Republicans opposed it. These reactions help us analyze the US international policy toward human rights. US human rights policy has been embedded in the theory of “American exceptionalism”, which considered US the best incarnation of human rights and its interests as a superpower equal to its protection. But the Black Lives Matter movement challenges this narrative and claims that human rights violations are an untold part of this story. The Democrats have adopted a new approach to American exceptionalism in response which considers The US to have an exceptional potential to embody human rights values but this potential is yet to be realized. Joe Biden has also prioritized human rights more than his predecessors since 1980s by criticizing the US and also adopting harsher policies toward US allies that violate human rights. It can be predicted that the Democrats will adopt a more normative approach toward human rights in the future.

Keywords: Black Lives Matter; American Exceptionalism; US Foreign Policy; Human Rights; Racism.

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1) Introduction

Joe Biden, the 46th president of the United States (the US), has repeatedly stated that human rights are at the center of his administration's foreign policy and that he would prioritize their expansion and protection. Biden's foreign policy is characterized by two main priorities: firstly shifting focus to Indo-Pacific region as the most important strategic region for the US with the goal of containing the rise of China as a superpower and secondly assigning a higher priority to human rights in comparison with previous administrations. The first priority is not within the scope of this article, but many questions can be raised regarding the second issue. Has Biden truly increased the importance of human rights in the US policy making? What has caused this decision? What is the role of the "Black Lives Matter" (BLM) movement in shaping this new era of foreign policy?

There is no doubt that the foreign policy of the states regarding different issues, including human rights, can be affected by their domestic politics and social situation. This article claims that the human rights policies of the Biden administration and most probably subsequent Democratic administrations will be based on social and political domestic developments. Specifically, the current human rights approach of the US is shaped by the BLM movement. It seems that this movement has profoundly affected and changed US domestic politics and this change has in turn been reflected in US foreign policy toward human rights. This article therefore aims to explain the relationship between BLM and US human rights policies.

The BLM movement rose in response to police violence and was based on the belief that the behavior of the American police is discriminatory, exemplified in a higher number of violent and lethal incidents in which black people are involved. It is also believed that due to the racial bias of jurors and judges, racial minorities are disproportionately convicted and sentenced for similar crimes. It must be stressed that empirical findings confirm these assertions. Scientific research has demonstrated that the American police employs potentially lethal methods toward black people up to three times more than white people.¹ The probability of a black person being convicted is twice a white person's and in average black people are sentenced for 10% longer for similar crimes.² Studies have shown that the

1. Brita Belli, "Racial disparity in police shootings unchanged over 5 years". Yale University Website. October 27 2020. <https://news.yale.edu/2020/10/27/racial-disparity-police-shootings-unchanged-over-5-years>

2. M. Marit Rehavi and Sonja B Starr, "Racial Disparity in Federal Criminal Sentences", *Journal of Political Economy* 122, no. 6 (2014): 1320.

juvenile system affects young black boys much more negatively than other demographics.³ In fact, the very name of this movement is a reaction to these numbers: the main core of BLM is the idea that is reflected in its very slogan: that in the US and especially when it comes to the justice system and policing, the lives of black people do not “matter” as much as white people and this must be challenged.

This article, following this introduction, is organized thus: first the history of the BLM movement is covered in the first section. This history is necessary for a correct understanding of this movement and its specific role in shaping the US domestic political discourse and how this has in turn led to a criticism of the fundamental ideas behind US foreign policy discourse. In the second section we will explain the ways this movement has shaped the domestic political discourses in the US and the policies of the two main parties. In the third section the effects of this movement on the foreign policy of the Democratic party regarding human rights will be discussed. The article will conclude with a conclusion section.

2) The History of the BLM movement

In order to study the historical roots of the BLM movement, one must go back centuries, even prior to the founding of the United States, when the first group of African slaves landed from slave ships on the colonies, and the abolitionist movement it gave rise to. The first recorded instance of abolitionism is observed in 1653, when serious efforts to ban slavery in the Rhode Island colony were undertaken. The abolitionist movement included white and enslaved and freed black people. In this era black and enslaved people usually expressed their opposition manifested as slave riots. In 1721 the first slave riot took place – that is, the first slave riot remembered by history.⁴

Slavery played a major role in the process of founding the US and also the writing of its Constitution. Some of the US founders were themselves slave owners; other founders either strongly opposed slavery. South Carolina and Georgia threatened to abandon the union if slavery were abolished, and this caused the founders to leave the question of slavery to future generations. At the same time, the abolitionist movement was very active politically and continued to promote the cause and slave riots also

3. Nancy Dowd, “Black Liv Black Lives Matter: Trayvon Martin, the Abolition of Juvenile Justice and #BlackYouthMatter”, *UF Journal of Law and Public Policy* 31, no. 1 (2020): 45.

4. Manisha Sinha, *the Slave's Cause: a History of Abolition* (New Haven: Yale University Press, 2016), 9-11.

intensified.⁵ The abolitionist movement continued in stride after the founding and before the Civil War.

The next major historical turning point was the start of the Civil War which took place in 1860, after the election of Abraham Lincoln as the 16th president. Lincoln had promised that slavery not be expanded to new territories. The South believed that preventing the expansion of slavery would lead to its abolition in the long term and therefore they formally seceded in order to preserve slavery. The experts have no doubt that the main cause of and the reason for the Civil War were slavery.⁶ Although Lincoln initially had not planned to abolish slavery, he found the occasion opportune after victory in the Civil War, and led efforts which culminated in the abolition of slavery. After the ascension of the next Republican president, Ulysses S. Grant, legal racism was outlawed and franchise was granted to men of all races and former slaves were aided in housing and employment. These anti-racist policies were referred to as “Reconstruction”.⁷

If these policies had continued, it would have been highly probable that the racial situation in the US would have greatly improved. But in practice these instances of progress faced a phenomenon repeatedly observed in US history and is vital in understanding what animates the BLM movement: a phenomenon named “white backlash”, which means that whenever racial minorities in the US gain some progress they have to face a strong and opposite reaction from white people who opt to support extremist movements who oppose racial equality and also vote accordingly. The Reconstruction was also met with white backlash.⁸ This is a phenomenon described in legal literature as well, which points out that most white people blame racism on individual rather than systemic factors, and react negatively to laws which set out to redress racism, considering them a special treatment of black people.⁹ In 1876 election the Democratic nominee, Samuel Tilden, had gained more popular votes than the Republican nominee,

5. James Oliver Horton and Lois E Horton, *Slavery and the Making of America* (New York: Oxford University Press, 2005), 67-68.

6. Bruce Collins, “Southern Secession in 1860–1861”, In *Themes of the American Civil War: The War Between the States*, edited by Susan-Mary Grant and Brian Holden Reid, 39-61, (New York: Routledge, 2010), 41-42.

7. Herman Belz, *Abraham Lincoln, Constitutionalism, and Equal Rights in the Civil War Era* (New York: Fordham University Press, 1997), 141-147.

8. Marisa Abrajano and Zoltan L Hajnal, *White Backlash: Immigration, Race, and American Politics* (Oxford: Princeton University Press, 2015), 85-86.

9. Yohuru Williams, “The Special Favorite of the Laws? Black Lives Matter Moments in American Constitutional and Legal History”, *U. St. Thomas Law Journal* 171, (2022): 172-173.

Rutherford B. Hayes, but Hayes has won more votes in the Electoral College. The Democrats threatened to not accept the results and to even start a second civil war which led to an agreement between the two sides: the Democrats recognized Hayes’s presidency and the Republicans promised to end Reconstruction.¹⁰ As a result of this agreement, segregation and black voter suppression were legalized in the south. In addition, violence against black citizens continued. This episode of the US history began in 1877 and lasted until 1965. This episode is of vital importance to BLM.

Meanwhile, civil rights movement continued to struggle for racial equality which manifested in efforts both at the federal government and political and social elite and grassroots movements. These efforts reached their climax in 1960s, led by Martin Luther King Jr. President Lyndon B. Johnson, the 36th president, pursued a policy of passing civil rights legislation. Johnson achieved major victories in 1965 and succeeded in outlawing segregation and discrimination and obligated the states to refrain from suppressing the vote of racial minorities. But these victories, in turn, were also faced with white backlash.

Richard Nixon, former vice president and the Republican nominee who later became the 37th president, adopted the so-called “Southern Strategy” in the 1968 presidential election. The supporters of segregation had left the Democratic party in protest against Johnson’s reforms. Republicans, led by Nixon, recognized that the potential of the southern white voter was left unfulfilled, and changed their political agenda to court and gain the vote of this constituency in the 1968 election.¹¹ The Southern Strategy, which persists to this day, means that the Republican party supports policies which make voting difficult for racial minorities and benefit white people economically and politically. At the same time, these policies are not explicitly racial and make no mention of race, they are just designed in a way to affect the welfare of white people positively and that of black people negatively.¹²

The BLM movement is in fact a direct linear continuation of the aforementioned abolitionist and civil rights movements, but the slogan “Black Lives Matter” was first used in 2013 on social media in reaction to the acquittal

10. Keith Ian Polakoff, *The Politics of Inertia: The Election of 1876 and the End of Reconstruction* (Baton Rouge: Louisiana State University Press, 1973), 15.

11. Dan T. Carter, *From George Wallace to Newt Gingrich: Race in the Conservative Counterrevolution 1963–1994* (Baton Rouge: Louisiana State University, 1992), 35.

12. Joseph A. Aistrup, *The Southern Strategy Revisited: Republican Top-Down Advancement in the South* (Lexington: University Press of Kentucky, 1996), 44.

of George Zimmerman, who had fatally shot a 17 year old black teenager named Trayvon Martin. Even though Martin was unarmed and was in a public space and had made no contact with Zimmerman, the court determined his killing to be an instance of self-defense as Zimmerman had felt threatened by his presence. Unsurprisingly, a section of the American public opinion was enraged by the verdict and considered it an instance of racism in the American justice system and self-defense laws. Scholarly sources in law journals also questioned the verdict and sided with public opinion, including a review by the law school of the University of Las Vegas.¹³ In 2014 the killing of an 18 year old black teenager in the city of Ferguson at the hand of the police led to massive protests in this city. After this event, routinely and repeatedly activists and people reacted to multiple instances of the killing of unarmed black citizens with the slogan “Black Lives Matter”. During these protests the BLM movement became organized and its leaders gained national fame and systematically lobbied the government and mounted further protests,¹⁴ becoming a political movement in the complete sense of the term.

This movement reached its climax in 2020 and left the greatest mark on American history, during events which led to developments that are the focus of this article. In this year a police officer held his knee on the throat of a black citizen named George Floyd for nine minutes which led to his death by suffocation while three other police officers observed the situation in apparent indifference. This even was captured on video and was widely disseminated on social media. This event led to vast protests in the US, marked by a very important distinction: their direct impact on US politics. American public opinion supported these protests in an unprecedented manner and the approval rating of the movement was exceedingly high in polls.¹⁵ This support subsequently waned and returned to a more typical number, but its moment in the sun was enough to alter US politics. As popular support grew, the American elite including celebrities, artists, internet influencers, corporations, and small businesses voiced an unprecedented level of support for the movement. Local governments in the US reacted in an expansive manner and many political figures voiced their support as well which led to many concrete

13. Garrett Chase, “The Early History of the Black Lives Matter Movement, and the Implications Thereof”, *Nevada Law School Journal*, (2018).

14. Elizabeth Day, “Black Lives Matter: the birth of a new civil rights movement”, *The Guardian*, July 19 2015. <https://www.theguardian.com/world/2015/jul/19/blacklivesmatter-birth-civil-rights-movement>.

15. Geoffrey Skelley, “How Americans Feel About George Floyd’s Death And The Protests”, 538, June 5 2020. <https://fivethirtyeight.com/features/how-americans-feel-about-george-floyds-death-and-the-protests/>.

policy achievements in 2020 for the BLM movement.¹⁶ Citizens of other nations also protested in solidarity with BLM, creating an international dimension for the movement.

But what matters to this article is the reaction of the two main parties to the BLM in 2020. The Republican party, led by the 45th president, Donald Trump, largely opposed the protests and considered them illegal and disorderly. Republicans attempted to refute the main criticisms this movement levied against the US (which will be discussed in the next section). There were exceptions to this general rule, but as a whole the Republican party opposed BLM. But on the other hand, the Democratic party fully supported the movement. The Democrats had never defined themselves in opposition to BLM, but in 2020 the Democratic party fully threw its weight behind this movement. Joe Biden’s campaign did not attempt to distance themselves from the movement. Biden chose a black woman as his vice presidential and to appoint the first black woman to the Supreme Court. Even though Biden clearly differentiated himself from the more radical faction of the BLM movement, but left no doubt that he entered the White House as a politician sympathetic to the BLM movement.

Of course, it must be reiterated that the Democratic party was never outright opposed to BLM. Barack Obama was the first black US president, and BLM started during his presidency. But in addition to the fact that Obama had to tread carefully around the issue of race in order to avoid a racial backlash against his own identity,¹⁷ it was only in 2020 when the BLM rose in prominence to a degree that it caused the Democratic party – as the party which always represented the interests of black voters – to wholeheartedly embrace it and to even tie its identity with the movement.

The fact that the Democratic Party has embraced BLM has left a significant mark on the human right discourses of the US which subsequently led to a change in Biden’s international approach toward human rights. In the next section we will discuss the impact of this movement on the domestic discourses of human rights in the US.

16. Samuel Sinyangwe, “Cities That Reduced Arrests For Minor Offenses Also Saw Fewer Police Shootings”. 538. July 26 2021. <https://fivethirtyeight.com/features/police-arresting-fewer-people-for-minor-offenses-can-help-reduce-police-shootings/>

17. Jodi Kantor, “For President, a Complex Calculus of Race and Politics”. *New York Times*. 20 October 2012. <https://www.nytimes.com/2012/10/21/us/politics/for-president-obama-a-complex-calculus-of-race-and-politics.html>

3) The Effects of the BLM Movement on the American Domestic Human Rights Discourses

In the US, human rights discourses have been greatly influenced by American exceptionalism. American exceptionalism is based on two major pillars: its military power and “the American values” such as democracy, liberalism, and free markets. According to this ideology, the US is an indispensable and exceptional nation due to its power and in its absence democracies would not be able to withstand the assault from dictatorships, making the US the only nation capable of preserving the liberal and capitalistic international system. This idea is dominant in the foreign policy discourse of the US and the mainstream of both Democratic and Republican parties.¹⁸

The approach of the US toward human rights has been underpinned by American exceptionalism. As David Forsythe mentions, American exceptionalism has led the US to adopt a more unilateral and self-centric approach toward human right.¹⁹ Other scholars have pointed out the connection between US power, American exceptionalism, and a unilateral approach toward human rights which has created a paradox in which the US champions human rights but not international norms enforcing it.²⁰ In other words, American exceptionalism causes the US government to equate its interests with the cause of human rights and therefore justify its support for states that violate human rights and even violating them itself. The American exceptionalists basically argue that the equation between the US and freedom and human rights (and of course capitalism) means that whatever is good for the US, is also good for human rights.

It is crucial to understand that the BLM movement challenges American exceptionalism at the very foundation of the core of its discourse. The main argument of BLM is that the US history have been intertwined with slavery and discrimination since its founding and the story of the US cannot be narrated except as one of human rights violation. BLM argues that the US is fundamentally unexceptional and not a paragon of freedom and human rights and it still cannot be – as the exceptionalists claim – the incarnation

18. Ali Nazifpour, *Estesnagarayi va Siasat-e Khareji-ye Iran [Exceptionalism and Iran's Foreign Policy]* (Tehran: Kavir, 2022), 50.

19. David P. Forsythe, *Human Rights in International Relations*. 3rd. (Cambridge: Cambridge University Press, 2012), 206-207

20. Andrew Moravcsik, “The Paradox of U.S. Human Rights Policy”, In *American Exceptionalism and Human Rights*, edited by Michael Ignatieff, 147-196, (London: Princeton University Press, 2012), 150-151.

of human rights and a “shining city on the hill” because it has never fully compensated for its original sin – slavery – and systematic racism exists to this day. Slavery and openly discriminatory laws have been abolished but their effects remain and make life more difficult for black people in comparison with white people.

For example, Ta-Nehisi Coates, a representative figure of BLM discourse, argues that the effects of slavery are still observable in the lives of black people and that the superpower status of the US would have been impossible without the suffering of black people and that a great portion of the wealth of white people is the result of their ancestors exploiting black people.²¹ The other major representative of the BLM discourse is a series of articles published in the *New York Times* newsarticle under the umbrella title *Project 1619*. This project derives its title from the argument that the true date of the founding of the US is not 1776, the year the Declaration of Independence was signed, but in truth 1619, the year when the very first African slaves landed on the soil of the American continent.²² This project associates American identity not with human rights but its violation. Many experts have criticized this project for including some historical inaccuracies²³ but these inaccuracies do not negate its importance in shaping the American political discourse.

All of the aforementioned arguments against American exceptionalism have been raised among the American intelligentsia before BLM as well. Historians have repeatedly stated that slavery cannot be ignored in the history of the US’s founding, or to be considered a secondary issue.²⁴ One major example is the Critical Race Theory (CRT). CRT is one of the many theories which point out the existence of “systemic racism”, i.e. the idea that the structures of the American society are racialized and therefore people act in a racially biased manner within them, even if they themselves are not necessarily racists.²⁵ Law scholars had even attempted to connect BLM with international human rights law before the climax of 2020, arguing that since domestic courts had failed to secure justice for the

21. Ta-Nehisi Coates, “The Case for Reparations”. *Atlantic*. June 2014. <https://www.theatlantic.com/magazine/archive/2014/06/the-case-for-reparations/361631/>

22. Nikole Hannah-Jones, “Black History and American Democracy”. *New York Times*. August 14 2019. <https://www.nytimes.com/interactive/2019/08/14/magazine/black-history-american-democracy.html>.

23. Leslie M. Harris, “I Helped Fact-Check the 1619 Project. The Times Ignored Me”. *Politico*. 6 March 2020. <https://www.politico.com/news/magazine/2020/03/06/1619-project-new-york-times-mistake-122248>

24. Horton and Horton, *Slavery*, 47

25. Richard Delgado and Jean Stefancic, *Critical Race Theory: An Introduction* (New York: New York University Press, 2020), 7.

victims of racist policing, the BLM movement had to look at international justice system and organizations for remedies.²⁶

As mentioned, all of these anti-exceptionalist arguments predate BLM. But what distinguishes BLM from its predecessors is that no matter how prevalent these arguments were within the American academia and the intellectual class, they were completely marginalized in the larger American discourse and did not shape public opinion nor had any sway over the politicians and policymakers. But BLM caused these arguments to exit the margins and to become major signifiers within the mainstream discourses and moved the major players to react to them.

During the 2020 presidential election – as mentioned before – the two main parties in the US noticed that the BLM protests have upended public discourse and had no choice but to react to the movement and adopt clear positions regarding it. The Republican party chose to mount a full-throated defense of American exceptionalism at the face of BLM. Donald Trump reacted to *Project 1619* by issuing an executive order creating the 1776 Commission. This commission published a report in which American exceptionalism was explicitly endorsed in its text.²⁷ After Trump's defeat, the Republicans did not change course. Glenn Youngkin concentrated on CRT in his campaign in the 2021 Virginia gubernatorial election, promising to ban the teaching of CRT in schools (CRT is not taught in Virginia schools, but Republicans use it as shorthand for all anti-exceptionalist race-focused theories). Youngkin won his bid for the governor in Virginia, a relatively liberal state, which would incentivize Republicans to utilize his strategy even more aggressively.²⁸

On the other hand, the Democrats have supported both BLM and American exceptionalism and yet have showed no sign that they find any contradiction between these two discursive currents. It seems that Democrats have chosen to embrace American exceptionalism while simultaneously acceding to the fundamental and structural criticisms levied against it by BLM. One example

26. Laura Goolsby, "Why International Law Should Matter to Black Lives Matter: A Draft Petition to the Inter-American Commission on Human Rights on Behalf of the Family of Eric Garner", *Journal of Law and Social Change* 21, no. 1 (2018): 29-51.

27. Michael Crowley and Jennifer Schuessler, "Trump's 1776 Commission Critiques Liberalism in Report Derided by Historians", *New York Times*, 20 January 2020. <https://www.nytimes.com/2021/01/18/us/politics/trump-1776-commission-report.html>.

28. Zack Beauchamp, "Did critical race theory really swing the Virginia election?", *Vox*, 4 November 2021. <https://www.vox.com/policy-and-politics/2021/11/4/22761168/virginia-governor-glenn-youngkin-critical-race-theory>.

is Joe Biden’s statement after the killing of George Floyd who said: “The original sin of this country, [slavery], still stains our nation today and sometimes we’ve managed to overlook it. We just push forward with a thousand other tasks in our daily lives, but it’s always there”. He called racism “a normal situation for our black folks” and a “deep open wound” – all statements that would have been considered too radical for a mainstream politician to utter and even some leftist Democrats would have refrained from making and seems to accept the core BLM criticisms. At the same time Biden affirmed American exceptionalism by emphasizing that the US is the symbol of freedom and human rights for the entire world.²⁹

The Democrats have attempted to reconcile this paradox by stating that the US is exceptional in its capacity and potential to become the international symbol of human rights and at the same time accept that the US has not yet realized this potential. Jake Sullivan, who is now Biden’s National Security Adviser, proposed a solution in a seminal article in the *Atlantic*: Sullivan redefines American exceptionalism not as what the US has actually been in embodying its values throughout its history but what it can potentially become. In Sullivan’s attempt to redefine and rescue American exceptionalism, there is no apparent contradiction between embracing BLM and exceptionalism. In fact, accepting the criticisms of BLM is the first step in activating the “capacity” and meeting the “responsibility” and embarking on the “self-correction” process, characteristics that make the US – in Sullivan’s reinvention – exceptional.³⁰ Sullivan is the Democrat who has most explicitly formulated this, but one can trace this reevaluation of exceptionalism across the Democratic party.

It must be stressed that all the reasons that the Democrats embraced BLM are not necessarily positive – one major factor is their rejection of Trumpism. As Trump made much more overt racial remarks and attacked BLM with much more overtness and ferociousness than any other Republican president in living memory, this created a backlash among liberals which caused them to embrace BLM less reservedly in order to counter Trump. This is an instance of the phenomenon observed in political science named “negative partisanship”. While negative partisanship cannot explain the entirety of Democratic support for BLM, it offers a partial explanation.

29. CNN, “Biden: The original sin of slavery stains our country today”. 29 May 2020. <https://www.cnn.com/videos/politics/2020/05/29/biden-george-floyd-statement-sot-crn-vpx.cnn>

30. Jake Sullivan. “What Donald Trump and Dick Cheney Got Wrong about America”, *Atlantic*, January 2019. <https://www.theatlantic.com/magazine/archive/2019/01/yes-america-can-still-lead-the-world/576427/>.

Of course, it is not the aim of this article to examine how the Democrats reconcile these discursive elements in their domestic political discourse. The aim of this article is to study how this development in American political discourse affects its approach to human rights on the international arena. This subject will be discussed in the following section.

4) Developments in the US Foreign Policy Regarding Human Rights as Influenced by BLM

At the onset it must be pointed out that naturally the approach of the Republican party toward human rights in foreign policy will not change. This party has risen to defend the status quo domestically and therefore will follow the same approach toward human rights internationally. If something changes the attitude of the Republican party in this regard, it will be unrelated to BLM. Therefore this article will deal with developments in Biden's and possibly future Democratic administrations.

The first development that can be observed in this regard is an increase in the US administration's willingness to criticize itself and its allies regarding human rights. This is natural: The Democrats – in reaction to BLM – have chosen to criticize themselves in domestic politics and even if they have rejected some of the most radical and fundamental and basic criticisms levied by intellectuals in the black civil rights sphere, they have acceded to the claim that human rights violations have been a true aspect of their nation since its founding and therefore cannot avoid a degree of self-criticism in foreign policy as well.

Anthony Blinken, the current Secretary of State, in a clear instance of this trend, wrote in a memo to American ambassadors throughout the world that human rights will be one of the first priorities of the US foreign policy and that even US allies must be targeted when the US makes criticisms regarding the human rights situation and more importantly, that American ambassadors should not pretend that no human rights violations take place in the US and that they can criticize the US in their public statements as well. The text of the memo itself enumerates some problems and instances of violations with regards to human rights and unsurprisingly racial issues constitute the bulk of Blinken's self-criticism, providing a clear textual evidence for the link between BLM and this foreign policy decision. Blinken also points out that the rise of the far-right is one of the most major threats facing democracies around the globe and emphasizes that the US

itself has not been immune to this problem.³¹

Biden administration has also shown signs that it is willing to criticize US allies as well, especially when it comes to Saudi Arabia and Egypt. Biden ordered a halt in the sale of weapons to Saudi Arabia due to war in Yemen and officially held Muhammad Bin Salman, the Saudi crown prince and de facto ruler, responsible for the murder of the journalist Jamal Khashoggi; radical moves when compared to his predecessors. Biden administration has also twice reduced military aid to Egypt due to this nation’s human rights record, a move which was avoided by previous administrations – despite the law passed by the Congress empowering them to do so. Biden also hosted a “summit for democracies” with the aim of promoting human rights and democracy. All of these moves suggest a more normative attitude toward human rights in the international arena.

Two points must be raised in order to clarify the main argument of this article. Firstly, it shall be mentioned that human rights activists and international NGOs are not necessarily happy with Biden’s human rights record. Some argue that Biden has not done enough when it comes to Saudi Arabia and Egypt. Critics argue that that it is not enough for Biden to merely recognize Muhammad Bin Salman as the culprit and that Biden must have taken specific tangible measures in order to punish him or that the US is still supporting Saudi Arabia in Yemen indirectly by not forcing it to end its blockade. When it comes to Egypt, the US under Biden’s presidency has been criticized for continuing to label it as a “vital partner” and reducing instead of ending all aid. The critics also accuse Biden of having double standards regarding different nations – for example Biden’s administration has ignored democracy erosion and human rights violations in India and does not criticize Narendra Modi’s government because it needs India’s help in containing China³². The case of India reveals that when vital interests are involved Biden too will act in a realist and not a liberal manner in Forsythe’s categorization of the states;³³ i.e. it will choose interests over democracy and human rights. It shall also be acknowledged that when Biden and his advisers repeatedly and emphatically claim that human rights are at the center of his foreign policy as

31. Nahal Toosi, “Blinken to Diplomats: It’s OK to Admit U.S. Flaws When Promoting Rights”, *Politico* 16, July 2021. <https://www.politico.com/news/2021/07/16/blinken-us-human-rights-499833>

32. Nahal Toosi, “Biden Needs India to Counter China, but it Comes with a Cost”, *Politico* 23, September 2021. <https://www.politico.com/news/2021/09/23/biden-modi-india-human-rights-china-514041>

33. Forsythe, *Human Rights*, 3-4

the first priority; they expose him to more scrutiny and criticism even if his record is more defensible relative to the normal US behavior.

But these criticisms – whether correct or incorrect – are not the concern of this paper. The main contention of this paper is that Biden’s administration has adopted a more normative approach toward human rights in comparison with all US presidents since 1980 in a clear manner both in its declarations and its actual decisions. It is possible that human rights activists might consider this insufficient or some might offer a counter-argument in Biden’s defense that no administration can ignore security and economic realities on the ground, but none of these arguments are material to the subject of this paper. The aim of this paper is not to offer a normative evaluation of Biden’s record; the aim of this paper is to explain the US foreign policy and it is enough to show with evidence that the US has become “more liberal” under Biden and this trend can be demonstrated.

The second and much more important point is that this development has not taken place in a vacuum. This article claims that there is a direct and causal relationship between this change in attitude and the embrace of BLM by the Democratic party. The current normative approach is mostly a return to one of former Democratic presidents, John F. Kennedy and Jimmy Carter. Carter too had prioritized human rights in foreign policy and exerted some pressure on US allies – including Iran at the time – to improve their human rights situation. But there is a major difference in Biden’s return to this normative approach, and that is the self-critical tendency. Carter’s human rights approach was comfortably defined within the confines of American exceptionalism discourse and for him the US was defined as the incarnation and guardian of global human rights. But Biden’s new human rights approach is a reaction to a fundamental challenge against American exceptionalism with the aim of improving American exceptionalism in a way that it survives this challenge and has therefore turned to self-criticism. Biden’s normative approach toward human rights is distinctive from previous American administrations – including other normative ones – in its self-criticism and the only recent development satisfactorily is the influence of BLM on American domestic politics and the effects of that development on American foreign policy.

It should also be mentioned that Biden was not an unknown or neophyte player in US foreign policy before ascending to presidency. Biden was intimately involved with foreign policy in the 31 years he served as a senator

and the 8 he served as vice president. He was the chair of the Senate Committee on Foreign Relations and both as a senator and vice president was dispatched on critical diplomatic missions and had created a network of personal relations with non-American politicians which made him a reliable point person with foreign states. Throughout these years he constantly made his positions on foreign policy matters public and his vote records in the Senate are also available. While being a thoroughly known figure before his presidency, Biden never had a reputation of being overly concerned with human rights or being more liberal than the average Democratic politician. Then what moved Biden to change in 2020 and place human rights in a position of more prominence? The only satisfying explanation is that Biden inevitably adjusted his international attitude after embracing BLM and embracing the new vision of American exceptionalism.

In this regard, too, the reaction to Trump must not be understated. Trump has been perceived (fairly or unfairly) as uniquely exceptionalist and unilateral and indifferent to democracy and human rights in comparison to other US presidents among liberals.³⁴ It is natural for Biden to correct this by emphasizing human rights in his quest to fulfill his promise to restore the US’s previous role on the world stage. However, we have already argued that Biden has gone beyond merely rebuking Trump and has adopted an approach toward human rights that can be explained much more satisfactorily by the positive influence of BLM rather than merely the negative influence of Trump.

5) Conclusion

This article concludes that BLM has played an important role in US foreign policy and has led its government to adopt a more normative approach regarding human rights. Maybe in comparison with Western Europe or what human rights activists and NGOs expect from states the US is still a “realist” and cannot be categorized as a wholly normative actor; maybe Biden administration still prioritizes preventing the rise of China and preserving its own hegemony above all concerns including human rights, but in the final analysis Biden has increased the importance of human rights in his foreign policy discourse and decision making and this has affected the US’s behavior in a limited but conspicuous manner. But this development is not due to Biden’s personal difference with his predecessors but part of a larger

34. Michael Posner, “Trump Abandons the Human-Rights Agenda”, *The New Yorker*, 26 March 2017. <https://www.newyorker.com/news/news-desk/trump-abandons-the-human-rights-agenda>

development experienced by the Democrats as a whole which is in part due to the further movement of this party toward embracing the cause of racial equality – a cause spiritually led and discursively represented by BLM in recent decades.

We can imagine three scenarios regarding the international approach of the US government (when controlled by the Democrats) toward human rights: firstly, that the Democratic party gradually distances itself from BLM and therefore receive no influence in its human rights policy from this movement. This scenario is very unlikely in the predictable future because the vast majority of liberal public opinion and the base of the party are still supportive of the movement and the Republican party aims to keep this movement in its crosshairs which will provoke a sense of negative partisanship among the Democrats and makes them even more entrenched in their support.

The second scenario is the continuation of the status quo, i.e., the dominant approach of the US government remains realistic and still focuses mainly on the threat of China as the main priority regardless of the party in power, while the Democrats would not completely marginalize human rights and pay some attention to the human rights concerns. In this scenario, the Democrats will be decidedly more liberal and normative in their human rights policy, while Republicans will be completely realistic and maybe even scornful of international human rights concerns, which would mean that there is a major and real distinction between the two parties in this regard.

The third scenario is that this trend accelerates and the US will turn into a mainly normative actor on the world stage, similar to some European powers. Between the second and the third scenarios, the first is by far likelier as the realities of the international system in the era of a new cold war will most probably not permit a military and economic superpower to ignore security and change its first priority from security to norms. Therefore the likeliest scenario for the future is that all US governments will prioritize security most but there will be a significance difference between Republican and Democratic administrations in how they handle human rights.

Of course, a caveat must be mentioned that there are many instances where even the most liberal US administrations will not necessarily act in accordance with human rights. One major issue is the special relationship between the US and Israel – a relationship which will continue regardless of how Israel handles human rights. (Of course, Israel will have an even warmer relationship with

Republican administrations, but it will not be penalized much by Democrats over human rights either). We cannot ignore the issue of Afghanistan either – the US under Biden chose to withdraw its troops and allow the Taliban to take over. The human rights record of the Taliban and also its behavior after coming to power has caused many to criticize Biden as indifferent to human rights. This is another instance in which domestic and larger geopolitical concerns have trumped the issue of human rights.

But even when acknowledging these shortcomings and accepting that from an idealistic or normative standpoint an increase in attention paid to human rights due to domestic developments caused by the “Black Lives Matter” movement might appear insignificant or unimpressive; it is important to stress that in practice this will lead to some real and impactful changes in US policy. All other states will move to adapt themselves to this new reality, which is why in the 2020 election all liberal actors such as Europe openly preferred Biden but non-democratic and human rights violating allies of the US such as Saudi Arabia preferred Trump to win in an obvious manner. These differences is why we can safely claim that the BLM movement has greatly affected the human rights situation, not only within the US, but internationally.

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