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ADDRESS

REMARKS BY THE VICE PRESIDENT OF THE UNITED STATES OF AMERICA, J. DANFORTH QUAYLE, TO THE CUBAN- AMERICAN BAR ASSOCIATION MIAMI, FLORIDA - FEBRUARY 10, 1989*

I am delighted to be here this evening, and deeply honored to have been asked to address my fellow lawyers in the Cuban-American Bar Association. As some of you may know, I haven't actually practiced law for some time now. But I still believe that the law is one of the great professions. In this, I'm in complete accord with one of our country's greatest lawyers, Clarence Darrow. Darrow was once interviewed for a magazine article on the reasons given by prominent lawyers for their success. "Most people I've spoken to so far attribute their success to hard work," said the interviewer.

"I guess that applies to me, too," Darrow replied. "I was brought up on a farm. One very hot day I was distributing and packing down the hay which a stacker was constantly dumping on top of me. By noon I was completely exhausted. That afternoon I left the farm, never to return. I became a lawyer — and I haven't done a day of hard work since."

Well, I'm sure that's not true of anyone here today. And, believe it or not, it's not even true of Vice Presidents. In fact, I just came back from a pretty hectic three day trip to Venezuela and El Salvador. Later on, I'd like to give you a brief report on my trip. First, though let me say a few words about the role of the United States in prompting respect for the rule of law around the world.

Essentially, there are two ways of going about this. One way

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might be called the case-by-case approach. Suppose the U.S. Government learns that someone in a foreign country has been wrongfully jailed, and is being tortured. We can contact that person's government through normal diplomatic channels and demand that due process be observed. If that doesn't work, we can go public with our concerns. And we can encourage non-governmental organizations to do so as well.

Sometimes, this case-by-case method can bring results. Only last year, for example, the Cuban government released approximately 250 political prisoners. This was a response to a 1987 petition of the U.S. Catholic Conference and a 1988 request to President Castro by Cardinal John O'Connor, the Archbishop of New York, to free certain political prisoners. Among the released political prisoners were sixty-five so-called *plantados historicos* — long-term political prisoners who have refused "reeducation." Approximately 2600 refugees and their accompanying families, most of whom were present and former political prisoners were allowed to emigrate to the United States between September 1987 and September 1988.

But although the case-by-case approach is sometimes effective, I think you can all recognize its weaknesses. We can intervene to secure the release of a particular political prisoner, only to see someone else arrested in his place; we can intervene to stop the practice of torture, only to see it reinstated later on; and we can intervene to secure permission for someone to leave his country, only to see the next applicant denied this right. As long as no system is in place to *guarantee* the rule of law, the case-by-case approach is bound to be long, frustrating and too often a heart-breaking exercise.

There is another approach, though, to which we are fully committed: to institutionalize the rule of law that protects basic human rights. We do this by promoting democracy. Democracy is the political system that lays the basis for the rule of law. Democracy, after all, is a form of government based on the freely given consent of the governed. But how can we know whether this consent is truly freely given? The only way is to institutionalize the means to register dissent, as well. These means include freedom of speech, freedom of the press, free elections, and a free and independent judiciary. Thus, respect for the rule of law is built into the structure of democratic self-government. And thus, too, democracy is the closest thing we have to a guarantee of the rule of law.

But democracy is more than just a guarantee of the rule of law *within* nations; democratic ideals also stand as a rebuke to and a check on the temptation of rulers to behave in an arbitrary and illegal way abroad. Democracy promotes the rule of law *between* nations. As the great Soviet human rights activist, Andrei Sakharov, has pointed out, "As long as a country has no civil liberty, no freedom of information, and no independent press, then there exists no effective body of public opinion to control the conduct of the government and its functionaries. Such a situation is not just a misfortune for citizens unprotected against tyranny and lawlessness; it is a menace to international security."

For all these reasons the United States has made support for democracy a key element of our foreign policy. We believe that such a policy serves both our long-term strategic interests and our most deeply-cherished moral values. And we believe that support for democracy is the best way to institutionalize respect for the rule of law around the world.

Of course, not everyone agrees with our policy. Sometimes it is said that our belief in the universality of the democratic way of life reflects a "Western bias." Sometimes our critics go even further and accuse us of illegally interfering in the domestic affairs of other nations — despite the fact that these nations have all signed the Universal Declaration of Human Rights, and other international accords, obliging them to respect the rule of law and fundamental human rights. Our critics seem to believe that it's natural enough for Americans and Europeans to live under the rule of law, but that it's equally natural, somehow, for Latin Americans to be governed by military juntas, corrupt *caudillos* and Marxist-Leninist *commandantes*. I suppose that's why they denounce our commitment to democratic self-rule as a form of "cultural imperialism."

Well, my friends, whenever I hear these arguments, I am reminded of the immortal words of the Declaration of Independence: "We hold these truths to be self-evident — that *all* men are created equal; that they are endowed by their Creator with inalienable rights That to secure those rights, governments are instituted, deriving their just power from the consent of the governed."

Surely, these words are more than just a pious formula that we recite on national holidays. Surely they point to the universality for certain basic human rights. Surely the words of the Declaration of Independence mean that all human beings — Cubans and Ni-

caraguans, Afghans and Cambodians, Russians and Poles — all of us are entitled to democracy, entitled to the rule of law, and entitled to the fundamental freedoms that the rule of law secures.

During the past eight years, we have seen startling confirmation of this universal yearning for democracy. Around the world, democracy is on the march. In the Philippines and the Republic of Korea, “people power” has won stunning victories. In Pakistan, free elections have been held. And even in the communist bloc, we see a growing internal ferment. We see a recognition that economic reform cannot succeed without some kind of political opening. Once, democracies were condemned by their critics to the “dustbin of history.” Today we are the wave of the future.

Nowhere have the changes been more dramatic than in Latin America, where a democratic revolution is clearly underway. More than 300 million people have voted in fifty elections since 1980. Tyrannies have been toppled and militaries have returned to the barracks. Today, more than 90% of the people of the region live under democratic rule, compared to only about 30% a decade ago.

Although the credit for these achievements belongs to the people of Latin America, the United States has played a constructive role as well. Time and again, we have vigorously demonstrated our support for democratic coups or other anti-constitutional actions; in Argentina and Guatemala, where dissident military officers challenged the elected governments; in Panama, where the Commander of the Defense Forces sought to replace the Constitutional President; and in El Salvador in 1985, when defeated politicians sought to revoke the outcome of legislative elections. During the Reagan-Bush years, not a single coup took place against a democratically elected government.

Of course, not all of the news coming out of Latin America is good news. When I think of freedom and democracy in this hemisphere, I can't help but think of some of the glaring exceptions to this movement toward democracy and freedom — exceptions like Cuba, and Panama, and Nicaragua. The governments ruling these countries claim to be the vanguard of the Latin American revolution, but in reality they're the rearguard. They're desperately holding out against a democratic tidal wave that is rising ever-higher; that tide of freedom will carry forward to these nations as surely as if it has already engulfed the other despotisms of the region.

Admittedly for the men and women living under the few re-

maining Latin American tyrannies, progress is slow, agonizingly slow. But whatever the obstacles, the United States is committed to helping the brave, freedom-loving men and women in this hemisphere achieve victory for the cause of democracy and freedom.

I believe that this sentiment is widely shared throughout the country — including the Congress. I'm sure that many in Congress are increasingly aware and concerned that during the past year, the situation for democracy and the rule of law in that country has, if anything, worsened.

This, of course, is most unfortunate. The fact is that the democratic resistance was gaining in Nicaragua prior to the cutoff of military assistance a year ago. We are now committed to vigorously pursuing the diplomatic route, and hope it will bear fruit. But fundamentally, democratic solidarity, diplomacy and strength are the answers to the challenges posed by the Sandinista regime. We will not flag in our support for democracy in Nicaragua. We will not flag in our determination to end Nicaragua's threat to democracy in Central America.

One of the most important purposes of my recent trip to Latin America was to reaffirm the Bush Administration's commitment to democracy. My first stop was Caracas, where in 1813, Simon Bolivar was first hailed as the "Liberator." Bolivar said "the people is [sic] the source of all legitimacy, and they know best what is right and just." In my arrival statement as President Bush's representative to the inauguration of President Carlos Andres Perez, I quoted the Liberator's words. I congratulated the people of Venezuela for their dedication to the ideals of democracy, and said that I looked forward to the day when all the nations of our hemisphere will share in the benefits of democracy.

Of course, Venezuela has been a democracy since 1958, when Romulo Betancourt was elected president, and democracy was rapidly introduced. A true revolutionary in the mold of Bolivar, Betancourt's legacy has been free elections, an independent judiciary, and respect for human rights and the rule of law.

How different has been the legacy of another Caribbean revolutionary, Fidel Castro! At the very moment when Betancourt was laying the foundations of democratic self-government in Venezuela, Castro was laying the foundations for a dictatorship. And Castro was privately admitting that when the civil war against Batista ended, he would begin a longer, larger war — a war against

America. That, he believed, was his "true destiny."

Well, Castro's war against the United States hasn't been very successful — but his war against the Cuban people has been all-too-successful. Over the past thirty years, Castro has turned Cuba into an island-prison, or, as the Cuban diplomat Andres Vargas Gomez described it, "A place without a soul." It is a country that over the past thirty years has systematically abused its people, driving nearly 15% of the Cuban population into exile. It is a country that has compiled a record of brutality and oppression that is without parallel in the history of our hemisphere. And it is a country whose leader has come to personify the tyranny that the rest of Latin America is trying to cast off once and for all.

Increasingly, Latin Americans of all political persuasions — including those on the democratic left — are coming to realize this. Increasingly, they are more willing to speak out against the remaining Latin American dictators. Increasingly, a strident anti-Americanism no longer confers on these tyrants an automatic immunity from criticism — witness last week's statement by President Carlos Andres Perez, the new President of Venezuela, that General Noriega of Panama should step down. Increasingly, Latin Americans are coming to regard the Castro regime as an obstacle to democracy and human rights for the Cuban people, and people throughout the region. And, increasingly, they are coming to agree with the United States on the need to subject Castro's human rights record to the scrutiny and pressure of democratic public opinion.

So the struggle for a new Latin America continues. And nowhere is that struggle between the old Latin America and the new more acute than in El Salvador, a new democracy battling totalitarian forces trying to strangle it. The human rights situation in El Salvador has changed considerably since the late seventies and early eighties. To cite just one index of progress, U.S. Embassy statistics reveal that political murders have declined dramatically over the past eight years, from a high of 750 killings a month in 1980 to 18 a month in 1988.

Of course, 18 political murders a month is still unacceptable. For this reason, I went to El Salvador to urge the government to continue the process of democratic reform. I spoke to the Salvadoran officer corps about commitment to the rule of law and human rights, two crucial areas in which they must do better. I also told them that we believe that human rights cannot survive without a

judicial system that works and inspires confidence, and that the military and security forces have a key role to play in ensuring that no member of the armed forces tries to place himself above the law. I believe I succeeded in getting my message across.

Unfortunately, while our efforts to make known our support for human rights have received wide publicity, violations of human rights by the Communist guerrillas receive only sporadic attention. I can assert unequivocally that the worst violators of human rights in El Salvador today are the guerrillas. These include the callous assassination of nine mayors and a governor since March 1988 and their threats have forced another 75 mayors to resign. Guerilla landmines placed indiscriminately in the countryside killed 39 civilians and wounded 130 others last year, many of them women and children. Moreover, borrowing a tactic from Middle Eastern terrorists, the guerrillas have exploded a number of car bombs with the deliberate intent of maximizing civilian casualties.

But it wasn't only to the Salvadoran military leadership that I spoke. I also met with President Duarte, with members of his government, and with businessmen and trade union leaders. I spoke to the heroic men and women who are trying to preserve a democracy in the midst of guerrilla warfare and external aggression. And no matter whom I spoke to, the message was the same: "We're going to win this war."

I suppose this is what impressed me most about my trip to El Salvador: the indomitable spirit of the Salvadoran people. It's the spirit that never gives up and never gives in. It's the spirit that is mightier than the mightiest tyranny, and that always emerges triumphant in the end. It is the spirit of freedom.

No one has ever expressed this spirit more movingly than a former Cuban *plantado* who is now our representative to the U.N. Human Rights Commission. His name, of course, is Armando Valadares. In his book, *Against All Hope*, he describes how he managed to write a poem and smuggle it out of prison, despite the efforts of his jailers to keep him isolated. Let me read this poem to you:

They've taken everything away from me
pens
pencils
ink
because they don't want

me to write
and they've sunk me here
in this cell
but they aren't going to drown me
that way.
They've taken everything away from me
— or almost everything —
I still have my smile
the proud sense that I'm a free man
and an eternally flowering garden
in my soul.
They've taken everything away from me
pens
pencils
but I still have life's ink
— my own blood —
and I'm still writing poems with that.

None of us can hope to equal the courage of an Armando Valadares. But you can and I can all help to bring into being the kind of world where such courage is unnecessary — where respect for the rule of law is universal, and governments are truly based on the consent of the governed. That is what the struggle for democracy is all about. That struggle deserves our continued and steadfast support. And that, my friends, is the most important lesson I brought back from my visit to Latin America.

Thank you and God bless you.