1. Introduction

This paper aims to compare the foreign policies of Brazil and South Africa, considering the processes of democratic consolidation in these countries. The question that guides the research is the relevance of the foreign policy on human rights to legitimize the discourse and the international action of recently democratized regional powers which seek global leadership. The research strategy is to analyze the historical processes of democratization in Brazil and South Africa, which stems from the 1980s. In this regard, these countries face similar challenges because of the global condemnation of human rights violations by the apartheid in South Africa and the military government in Brazil. The foreign policy of both has to emphasize on human rights issues to assure an international insertion and to size the countries` capabilities. A comparative study of human rights foreign policy of Brazil and South Africa will provide the tools for broader analysis in regards to the international role of these regional powers.

Adherence to international human rights regimes and domestic social reforms were strategic to building a positive international image. Furthermore, it creates commitments that reverberate in the domestic political climate and legal system. A central facet of this research is the understanding of the public dimension of foreign policy. Foreign policy is subject to the dynamics of domestic politics as well as state bureaucracy, and it must deal with disputes between a range of state and non-state actors. In this sense, domestic political factors are relevant to the study of human
rights foreign policy, such as the relations between the branches of the government, the role of public opinion and civil society in politics, as well its channels of political participation.

2. Democratization processes and foreign policies

In Brazil and South Africa, the discourse of national identity was built, among other things, based on the racial question, despite diametrically opposed. Brazil has emphasized its racial democracy supported by the culturalist reading of modernist sociology Gilberto Freyre (1998), framework that has denied the pessimistic outlook of the Brazilian miscegenation and the current evolutionary theories of social sciences. South Africa justified the separation of the races on orthodox Calvinism and on the ethnocentric assumptions of white man´s superiority. One of the perverse consequences of these national ideologies perpetrated by Brazilian and South African States was the deepening of social inequality in both countries.

Some prominent studies\(^1\) on the construction of the nation-state in South Africa imputed to the conflicts between elites the need to develop a common identity based on racial supremacy. Anthony Marx explains that: "to bind up the nations's wounds among whites, blacks were bound down, and the wound of race was left to fester" (1998, p.2). To encourage loyalty to the nation, States strengthen their claimed monopoly of legitimate violence. In this sense, the elites are the nation-state the coincidence of institutional domain with an allegiance which can decrease internal conflict. The South African War\(^2\), between Afrikaners and English settlers, is the milestone that demonstrates the conflict between elites, which came to be gradually solved with the ideology of racial supremacy and the rule which demarcated citizenship according to this thinking.

In the case of Brazil, a country with relatively little conflict in the elite, the State adopted the ideology of racial democracy. The homogeneity of the elites did not create the need to restrict citizenship. Racial tensions were accommodated. The lack

\(^1\) There is a remarkable literature on the relationship between national formation and racial categories. Some authors and works are: Hanchard, "Orpheus and Power" (1994) Goldberg, "The Racial State" (2002); Winant, "Race and Race Theory" (2000), Marx, "Making race and nation" (1998).

\(^2\) Also known as the Boer War.
of official racial domination became an obstacle to collective action against inequality, which is verified in the relative weak expressiveness of the black movement in Brazilian social struggles before democratization. In countries where the State set racial boundaries to citizenship, civil mobilization against that segregationist institutions was significant, such as in the cases of South Africa, with the anti-apartheid movement, and U.S., with the civil rights movement. Racial tensions in the case of Brazil were mitigated by the culture of tolerance that marked the national formation. In Brazil, the issue of black is very close to a problematic of class (Degler, 1971).

The point of intersection between the cases is the late twentieth century, in the context of democratization. If in South Africa racial conflict was the epicenter of debates for the formation of a new country, in Brazil the issue of race was shadowed by civil rights and the urgent need to reduce social inequality - which is closely linked with the issue of racism in the country. Both countries developed advanced Constitutions in human rights: Brazil in 1988 and South Africa in 1996.

After democratization, the correction of historical social injustices became be a strategic element of the international role of these countries. In this sense, there will be revisionism in the international projects (much more radical in the South African case). Brazil recognizes the pernicious effects of slavery, assumes the existence of racism unlike the ideas disseminated by the myth of racial democracy, and inserts social inequality as a major obstacle to the development of the country. South African projects the image of multiracial country that emerges from the wreckage of the racial segregation system.

After the processes of democratization in the late twentieth century, human rights established itself as a central issue for Brazil and South Africa. Both countries had to concentrate major efforts to reverse the negative international image resulted from human rights violations by the apartheid and military regimes in South Africa and in Brazil. The search for international credibility and the consolidation of democracy were interconnected through human rights issues.

The adherence of Brazil and South Africa to the international human rights regime and the domestic reforms were strategic to disseminate an international image uprooted from their recent violations. Naturally, in politics all achievement involves disputes and paradoxes. The claim for international leadership faces the systemic
constraints of the post-Cold War and the political-economic conditionalities defined by the International Monetary Fund (IMF) and World Bank (IBRD) for the acceptance of the "South" in the neoliberal economic order. This dialectic between international integration and consolidation of democracy in the international political economy creates tensions that often are poorly solved. The democratization of Brazil and South Africa occurred in this context of the opening of international trade and adherence to neoliberal standards of the post-Cold War order, and their political agendas are bounded to these guidelines. In a scenario of structural economic crisis in Brazil and South Africa in the post-Cold War environment, autonomy in foreign policy was, at first, combined in the form of associated and dependent development. The most important was the acceptance and adherence to regulations imposed by the central powers in order to create conditions for investment and attraction of international capital. These constraints are not contradictory and do not create significant barriers to adherence to international human rights regime, because these pressures stems from the same system of global governance and the countries that dominate it. In a market point of view, adherence to human rights regime is favorable for the efficiency of markets, reduces transaction costs and helps to build the confidence demanded by investors and financial institutions. However, the results of these market constraints affect the human rights agenda of countries, because their policies directly impact on macroeconomic issues that affect quality of life, such as employment and income.

The international political situation of the 2000s allowed a greater room for maneuver to Brazil and South Africa, given the increased competition between powers (such as China and the U.S.) that strengthened the role of developing countries. The failure of the neoliberal project, consolidated with the financial crisis that trembled the international economic system in 2008 (and unfolds in an endless crisis on the real economy of the central countries) make possible new diplomatic initiatives of the South, such as IBSA, G4, G20 and BRICS. These coalitions are proposing alternatives to the main international institutions and demonstrate the greater autonomy that Brazil and South Africa have found in comparison to the neoliberal decade. Even so, the projects of international insertion of Brazil and South Africa remain based on the themes of democratization, respect for human rights, defense of multilateralism and peaceful settlement of international disputes. This more purposeful role in the
international arena in the 2000s exposes the foreign policy on human rights to more criticism, especially by the civil societies.

The purpose of this paper is to understand the relationship between foreign policy and human rights, emphasizing foreign policy of regional powers and assuming the public dimension of foreign policy (Pinheiro; Milani 2012; Ingram; Fiederlein, 1988). The focus is to understand the political dynamics that occurs in regional powers seeking international role and democratic consolidation, and the function of the foreign policy on human rights in this endeavor. Brazil and South Africa have its projects of international participation architected on human rights, and the human rights foreign policy can help to observe challenges and paradoxes.

3. The debate on Regional Powers

The foreign policy of democratic emerging powers has to face significant challenges to confirm its expectations in the twenty-first century. The debate on the conceptualization of these countries is a topic that deserves special attention. The mass media have adopted the nomenclature of "emerging powers" to classify nations that emerge as new players in international politics. The economy is the determining factor in this nomenclature, because the emerging powers represent new poles of economic dynamism and greater production of global wealth, which, from the production point of view, represents a multipolarity of the contemporary international system. But who are the emerging powers and why they are emerging powers? Would not other categories be conceptually more accurate for this discussion? Our proposal in this topic is to discuss the prevailing concept in the world press (emerging powers) and introduce the concept of regional powers, which is scientifically and academically more accurate.

Within the range of countries that are presented as emerging powers, we need to understand the role that States play in their respective regions. The contemporary trend is "a world of regions" as prophesied Peter Katzenstein (2005), in which a regional architecture predominate in international relations (Acharya, 2007), and a multiregional system is gradually built (Hurrell, 2007). In this new international system, emerging powers tend to be regional leaders, or at least claim for regional leadership
Regional powers are generally designed as States that adopt a benevolent and cooperative attitude with its neighbors. These regional powers have a strong influence on regional interactions and on their degree of cooperation, conflict, and institutionalization (Destradi 2010, p. 903-4). Some conditions are necessary to classify a country as a regional power: (1) a domestic political stability that enables regional leadership; (2) capacity to assume the role of regional leadership and conflict mediator; (3) acceptance of its leadership’s responsibilities by its neighbors, particularly on security issues. The difficulty in this classification stems from the fact that this status is related not only with power resources, but also with perceptions of regional and global hierarchies. The status of regional power is a social category that depends on the recognition of it by other States (Nolte 2010, p.892).

In a special section of the journal “Review of International Studies”, Philip Nel and Detlef Nolte introduce the topic by explaining that emerging powers such as China, Brazil, India and South Africa, demand more voice in international questions, and, in this sense, entire regions perceive that are not adequately represented on the global agenda. According to the authors, “they demand a regional power shift with regards to the global governance institutions that partly reflects the power shift in the materials basis of the international order (2010, p.877).” Therefore, regional powers must defend not only their interests in international affairs, but also the interests of their regions.

Regional leadership creates tension between the role wanted by an emerging power in the global stage and its role as a leader in its region. This tension is even more considerable to the countries that are revisionists in regard to the rules and practices of global governance (Nel; Nolte 2010, p.878). In the conceptual debate, is important to contrast 'regional power' with 'middle power'. The regional power has large population, a large GDP and power resources that allow it to face coalitions of other States in their region. A fundamental distinction between regional powers and middle powers is that a regional power can become a global power (Nolte 2010, p.889) and may take revisionist policies towards global governance. These categories are not mutually exclusive. Nolte explains that:

The label ‘regional power’ refers to countries which are influential and powerful in certain geographic regions or sub-regions (especially in Asia,
Africa, Latin America, and the Middle East). The same states could be middle powers or great powers in the global context (2010, p.893).

What is expected from a regional power is: economic, political and cultural interconnection with your region; influence on the geopolitical delimitation of the region; influence on the structures of regional governance; defense of a common regional identity; provision of collective goods to the region; active role on the agenda-setting for regional security; recognition of its regional leadership by other States within and outside its region, especially by other regional powers; defense of regional interests in international forums and institutions (Nolte 2010, p. 893).

The foreign policies of Brazil and South Africa have a strong emphasis on the regional issue. The analysis of the human rights foreign policies provides inputs to understand the challenges to the affirmation of these countries as regional powers.

4. Human rights foreign policies of Brazil and South Africa

Brazil and South Africa are presented as leaders of the Global South and they have to face domestic and external constraints to affirm its regional and global ambitions. The foreign policies of Brazil and South Africa in the field of human rights are essential to the claim of these countries as regional powers, answering a broad international, regional and domestic agenda through interaction with various types of domestic and international actors. The difficulties of adopting foreign policy objectives that are consistent with their human rights discourses are very common to both Brazil and South Africa. Both countries face domestic hardships and must exercise leadership in regions that are also very sensitive to human rights issues. Thus, contrasting speech and action makes evident the frictions and dilemmas faced by those countries to strengthen an international role based on human rights. The perception of these tensions between speeches and practices allows for social observation of the actual capacity of countries’ international action.

Brazil and South Africa were internationally pressured due to human rights violations committed by military government and apartheid, respectively. The United States President, Jimmy Carter, initiated an international crusade and denounced
human rights violations committed by the Brazilian military regime. In the South African case, the condemnation of the apartheid reached global dimensions and the country became an emblematic example of international pariah. Regardless of the magnitude of international pressure that was created against Brazil and South Africa, both had to respond to this pressure and the discourse after the democratization processes focused on the respect of human rights. There is, therefore, a domestic and systemic demand for the respect of human rights and for the setting of a normative agenda in the human rights foreign policy.

4.1. Brazil

The first government after the military regime praised the centrality of human rights to democratization. The President José Sarney’s discourse in the UN General Assembly in 1985 has inaugurated a new milestone of "the official rhetoric in multilateral forums, demonstrating the importance that was going to be assigned to the human rights as part of the effort to the democratic transformation of the Brazilian State and society "(Beli, 2009, p.176). The diversification of governmental and nongovernmental actors involved in Brazilian foreign policy after democratization, particularly in the area of human rights, reveals a field of increasingly intense political disputes. Milani explains: "With the arrival of new actors, the questioning on how the State should behave internationally on human rights also tends to change" (Milani 2012, p.34).

The Brazilian Constitution of 1988 expanded the role of the legislative in decision making and contributed to the democratization of the foreign policy, what can also be observed in other public policies. This trend was even more striking in the field of human rights, enshrined as a constitutional principle of Brazilian foreign policy (Article 4, item II). During the 1990s, Brazil adhered to the main human rights treaties in the region and in the world, especially the International Covenants on Civil and Political Rights and on Economic, Social and Political Rights, signed and ratified in 1992; the ratification of the American Convention on Human Rights (Pact of San José of 1969), also in 1992; and the recognition of the jurisdiction of the Inter-American Court

3 My translation.
of Human Rights in 1998. The ratification of various thematic conventions, particularly the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 1989, reveal a new emphasis of Brazil's foreign policy concerning issues that were at the center of human rights violations by the Brazilian military government, such as torture. Brazil has become one of the developing countries that have ratified more conventions and treaties on human rights (Milani, 2012, p.45).

These commitments reverberate on the domestic environment, in what is known as the judicialization of politics. The greatest example is the National Program of Human Rights (PNDH), started in 1996 and already in its third edition4, which started to be developed as part of the commitments made by Brazil in the World Conference on human rights, held in Vienna in 1993 (Milani, 2012, p.36). The PNDHs have established guidelines for public action in the human rights field. Deepening this judicialization process, the constitutional amendment 45 of 2004 stipulates that international human rights treaties can be constitutional amendments. This organic relationship between international human rights regime and the domestic juridical system also supports the public dimension of foreign policy.

Due to this opening for political participation, human rights NGOs demands Brazil’s condemnation of countries that violate human rights - a claim that has as its background the prevalence of respect for human rights in relation to sovereignty and the norm of non-interference. These pressures became stronger in the administration of the Workers Party (PT), which took power in 2003. Under President Lula, Brazil’s abstention in votes on the Human Rights Council and on the UN General Assembly resolutions condemning human rights violations in countries like Sudan, Sri Lanka and North Korea, were criticized by the national media and human rights activists, who classify Brazil's position as condescending (Milani, 2012, p.50).

This is precisely the point of tension that exists between the goals of foreign policy and human rights. Lula’s foreign policy tried to diversify partnerships and propose alternatives to the institutions of global governance. In this sense, the foreign policy on human rights has suffered a reversal on behalf of the revisionist strategies, since the evaluation criteria of violations of human rights in developing countries have changed. According the standard classified as "non-intervention and non-indifference".

4 The second and the third are from 2002 and 2008.
for Celso Amorim, Brazil should not be selective on the subject. Cooperation was adopted as the preferred path to improving human rights in other countries. Milani explains that developing countries deserve "under the Lula government, a policy framework that linked the defense of human rights to South-South cooperation" (2012, p.54). This is a notable change in the human rights foreign policy in Lula government, and it’s coherent to the revisionist practices of a regional power that remains part of the institutionalized mechanisms of international human rights regime but questions its effectiveness.

Therefore, in a first post-democratization moment to the governments of Fernando Henrique Cardoso (1995-2002), human rights represented a legitimate mechanism in the fight for Brazilian social progress, but it was designed without questioning the constraints of neoliberalism. According to Lima (2000, p.295), the combination of political liberalization and economic opening (following the guidelines of the Washington Consensus) resulted in the "competitive integration". Cardoso’s foreign policy sought autonomy through integration. According to Luis Felipe Lampreia, "instead of an isolationist autonomy, an autonomy articulated with the international environment" (Lampreia, 1998, p.11).

The project of a more active international participation in the Lula government has established human rights as a tool for Brazil's revisionism strategy. The change of Brazilians vote in key multilateral instruments is part of the Brazilian criticism of double standards adopted by the Western powers – which usually condemn enemies and ignore violations of allied regimes. Besides, Brazil aims the diversification of strategic partnerships with countries accused of human rights violations, such as Iran, Turkey, Russia and China. Human rights NGOs (like CONECTAS), condemn the positions of Brazil and the partnership with these countries, and it creates tensions that exemplify the dialectic Brazil is facing today. After all, does the Brazilian revisionism commits or strengthens its human rights agenda and its affirmation as a regional power? Brazilian revisionists practices are consistent considering the double standard that prevails in

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5 Minister of foreign affairs during Lula era.
6 My translation.
8 My translation.
9 www.conectas.org
the international human rights regime and do not undermine the commitments made by the country in various treaties and conventions on human rights. The paradoxes in the international regime of human rights demand a critical approach by a revisionist regional power. The action of Brazil, before being inconsistent with values enshrined in the Constitution, are acts of denunciation to an international human rights regime characterized by the politicization and selectivity of its main decisions (Beli, 2009).

Criticism is part of the dynamics of foreign policy as public policy, exposed to the scrutiny of several political actors. NGOs, social movements and parties take ownership of human rights issues and participate in the debate on human rights foreign policy. This creates setbacks with more strategic agendas, such as the relations with Russia and China. This is a positive symptom of Brazilian democratization and diversification of active actors in foreign policy agendas. The creation of the Brazilian Committee for Foreign Policy and Human Rights, linked to the legislative, is an example of the strengthening of popular participation in the human rights foreign policy (Silva 2012, p.223).

Another important element: Lula’s government intensified the acceptance of jurisdiction of international tribunals and committees that accept individual complaints against the Brazilian State, as the competence of the Committee of the Convention on the Elimination of All Forms of Discrimination Against Women, two optional protocols to the Convention on the Rights of the Child, the two Protocols to the Civil and Political rights Covenant, and the optional clause of the Convention against Torture (Beli, 2009, p.179-80). The State’s acceptance of interference by international bodies mitigates the negative effects of the conflictive relationship between sovereignty and human rights - and it is exactly in this point that the coherency of human rights foreign policy must be analyzed.

4.2. South Africa

The construction of a New South Africa, led by Nelson Mandela, was based in the opposition to any racial differentiation among South African citizens, symbolically expressed by the metaphor of the "Rainbow Country". Mandela’s article published in Foreign Affairs (1993) set the new guidelines of the foreign policy in order to overcome
the past without encourage the blacks’ revenge against whites. There is an ideological break with the hegemonic project of the twentieth century and the foreign policy agenda is defined by the effort of the State to build a new identity narrative. The government of Nelson Mandela had to deal with two major challenges: assume the responsibilities of building a new country; and understand the world changes after the end of the Cold War and the collapse of bipolarity (Pere, 2002, p.3).

Abrupt changes in domestic and international orders determined the need for a foreign policy adapted to these changes. Therefore, the idealistic foreign policy of the ANC was confronted with another approach: the neoliberalism. By adopting the neoliberal prescription for macroeconomic growth, the focus of policymakers shifted to the implementation of structural economic reforms, which included: fiscal reforms, monetary policy discipline, the primary surplus targets, privatization, flexibility of the labor legislation and tariff reductions (Pere, 2002, p.9).

Therefore, in a similar way to Brazil, South Africa post-apartheid went through a process of double transformation, with democratization and international economic reintegration of the country, once a pariah to the international market. This coincidence of external and internal factors led to a conception of foreign policy in South Africa very similar to Brazil, and the main thing in common was the belief that the construction of the international credibility would require adherence to the dictates of neoliberalism. The acceptance of the neoliberal doctrine was aimed the build of confidence of the main actors of the international system. Brazil and South Africa adherence to international regimes, like in the case of human rights, were part of this strategy of international participation.

In Mandela’s government, South Africa has signed and ratified several human rights conventions of the human rights international regime, such as the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Racial Discrimination, the Convention on elimination of All Forms of Discrimination against Women, the Convention against Torture and the Convention on the rights of the Child, and also joined the regional human rights systems, such as the African Charter on Human and Peoples’ Rights and its main instruments (Refugee Convention, Protocol of Women, Children’s Charter, the African Charter on Democracy and Protocol on the Establishment of the African Court), besides signing the Rome Statute.
(ratified in 2000, already in the government of Thabo Mbeki) (Silva, 2012, p.225). Therefore, the concern of renewing diplomatic credentials and restore the role of regional leadership was based on the adherence to human rights regimes and illustrates the centrality of human rights in the foreign policy agenda of South Africa. Like Brazil, the massive adherence to international human rights regime was not opposed to the requirements the neoliberal thinking. However, important contentious points can be observed in South African foreign policy on human rights.

The post-apartheid foreign policy was based on the pillars that Mandela described in the journal Foreign Affairs: centrality of human rights in international relations; worldwide promotion of democracy; emphasis on international law as a guide for international relations; peace as a global target and the use of non-violent means to achieve it; action on behalf of the African interests; regional and international cooperation to foster economic development. The defense of human rights was canonized as a cornerstone of foreign policy, an instrument to the rebuild of South Africa, according to the constructivist reading of Serrao and Bischof (2009). Mandela was emphatic: "South Africa's future foreign relations will be based on our belief that human rights should be the core concern of international relations, and we are ready to play a role in fostering peace and prosperity in the world we share with the community of Nations "(1993, p. 97). Borer and Mills concluded: "the world expected South Africa to make human rights a priority in foreign policy precisely because South Africa told the world that it would" (2011, p.78). The negotiated transition that ended apartheid without a bloodshed was a constant reference of Mandela and his successor, Thabo Mbeki, to strengthen the international role of South Africa in human rights. According to Alden "by virtue of its ‘miraculous’ transition, South Africa was expected by the international community to ‘punch above its weight,’ a view that South African officials tended to encourage" (2004, p. 294). Therefore, South Africa volunteered to be a world herald in defense of the human rights flag, which raised expectations and the potential for frustration when the country have presented ambiguous positions, something recurrent in the political process.

South Africa adopted an arms embargo on exports to Turkey in 1995 because of concerns about human rights violations in that country; and, during the visit of former Iranian President Rafsanjani in 1996, Mandela denied to formulate a joint statement
by not accepting the Iranian point of view on the issue of human rights (Maluwa, 2000 p.208). These initial positions are remarkable. However, in what extent South Africa would be willing to sacrifice alliances on behalf of human rights, when faced by the classic dilemma between sovereignty and human rights? These frictions become more latent in the defense of relations with the South. South Africa has deepened relations with countries with a history of human rights violations that supported the anti-apartheid struggle of the African National Congress (ANC), as Cuba and Libya. Borer and Mills (2011) classify the human rights foreign policy of the country as paradoxical, especially because the reconciliation of the commitment to human rights with a pan-African and anti-imperialist agenda. These paradoxes are remarkable in some decisions, such as the support provided for the President of Zimbabwe, Robert Mugabe, even in a context of a growing humanitarian crisis in that country; the South African engagement in the policy of refoulement (the forced return of refugees); and the favorable votes of countries like Myanmar and East Timor judged for human rights violations in the UN system (Borer; Mills, 2011, p.77).

Domestic actors and NGOs working on human rights are critical to these ambiguities. The history of struggle against apartheid (Saturnino Braga, 2011) contributed to foster a culture of active political participation of the South African civil society, what impacts on the foreign policy formulation. A milestone of the opening of South African foreign policy was the document published by the Department of Foreign Affairs, called 'South African Foreign Policy Discussion Document', which invited academics and civil society to a forum debating the goals of foreign policy (Pere, 2002 p.19). A vibrant civil society, with active participation of churches, labor movements, human rights organizations, among others, make pressure to South Africa correspond to the expectations of being a moral authority in the world. The Congress of South African Trade Unions (COSATU) has an active role for the government to press the respect for human rights in countries of the region such as Nigeria, Zambia and Swaziland (Maluwa 2012, p.213). This active role of the South African civil society deepens the public character of foreign policy and creates demands for accountability and transparency by the government.

Domestic human rights protection and social participation were disseminated by the South African Constitution promulgated in 1996. The Constitution established
the Commission on Human Rights and the Parliamentary Portfolio Committees. The first body has the power to monitor the respect for human rights, and the parliamentary committees guarantee the scrutiny of all legislative acts and its compatibility with the Constitution (Maluwa 2012, p.214-15). This system allows NGOs and civil actors to pressure the Parliament and to engage in legislative debates surrounding foreign policy and human rights (Maluwa 2012, p.214).

Mandela’s government realized that South Africa could be a positive example in the post-Cold War world, and this element could be converted in opportunities to promote the interests of the entire African continent. The moral authority of Mandela became the main mechanism for negotiating with African regimes that violated human rights. Instead of adopting sanctions, Mandela sought to mediate conflicts directly with the leaders involved. The only attempt to adopt sanctions against Nigeria in 1995, due to the General Abacha order for the killing of human rights activists, was rejected by African leaders at the Organization of African Unity10. Mandela realized that the direct negotiations and regional mechanisms would be appropriate strategies for the construction of South African leadership. Despite the pressure from social movements, South African efforts to incorporate human rights considerations in its foreign policy represent honest attempts to conciliate the defense of human rights domestically and worldwide (Maluwa, 2012, p.223).

The foreign policy priorities have changed little in the first ten years after apartheid. In 2004 the Department of Foreign Affairs11 published a strategic plan emphasizing the South African commitment to promoting human rights and democracy. In the government of Thabo Mbeki (1999-2008), the principles of foreign policy were virtually the same of 1994 (Nathan, 2005, p.362), defending the commitment to democracy and human rights (Geldenhuys, 2008, p. 8). However, Mbeki’s strategy was different because its commitment with the ‘African Renaissance’. Mbeki reinforced the power resources of the country in the region through the recasting of the main African organization, the African Union (AU), and the country’s status as a regional power was demonstrated steady on empirical grounds, such as economic strength, military capability and the size of population (Geldenhuys 2008, 10African Union (AU) since 2002.
11Renamed as Department of International Relations and Cooperation (DIRCO).
The commitment to Africa have encouraged partnerships with the Global South through multilateralism (Pere, 2002, p.20), and South-South cooperation has been greatly strengthened. The South African participation in peacekeeping operations in Africa has increased considerably in the post-Mandela period (Schoeman, 2007).

In Zuma’s government, the rhetoric of human rights values remained strong, but moved to the national interest and cooperation, including urgent domestic issues such as unemployment, violence and corruption. The recent South African votes in the UN human rights system concerning crisis in Zimbabwe, Swaziland, Madagascar, Democratic Republic of Congo and Burundi means to some critics the neglect of a foreign policy based on human rights (Landsberg, 2012, p.4). An important position of the government was to revise the post-apartheid foreign policy and forge a future scenario consistent with the South African capabilities. After the normalization of diplomatic relations and the regular participation in international organizations, the demand for a critical role of South Africa in support of developing countries, especially in Africa, is going beyond their capabilities and resources, as defends the document on the 15 years of post-apartheid foreign policy, called "Meeting the challenges of the future" (Landsberg, 2012, p.9). Zuma emphasizes the importance of foreign policy for the solving national problems of South Africa, a way to manage the weight of expectation on the South African human rights foreign policy. The regional dimension of domestic problems justifies the priority of relations with Southern Africa and the multilateral efforts, which are increasingly the modus operandi of the South African foreign policy.

The difficulty of adopting a more assertive stance on human rights violations in other countries emerges mainly as a product of tensions between international guidelines for action: The affirmation of a regional leadership sustained by a Pan-Africanist ideology is faced with human rights violations of many allies that are indispensable to the consolidation of South Africa as a regional power. It's a dilemma similar to that Brazil is facing. The selectivity of the international human rights regime relapses directly on African States, who lead the resolutions against human rights violation of the General Assembly and the Human Rights Council. The problems of selectivity and double standards that prevail in the system reinforce the need for a leadership in Africa that is more sensitive to the historical and cultural peculiarities of
the region. The South African human rights foreign policy should not be judged by their votes and partnerships, but in your example as a mean of strengthening human rights domestically, mainly for providing legal mechanisms of political participation.

5. Final considerations

In relation to their general foreign policy issues, Brazil and South Africa after democratization were guided by the adherence to international regimes and endeavored to consolidate economic openness to international capitalist system. After the turn of the twentieth century, the foreign policies of Brazil and South Africa have increased its prominence in the international scenario. The role of these countries as regional powers have been strengthened and they increased the revisionist to foster reforms in the global governance. The autonomy of their foreign policies under Lula and Mbeki’s governments was possible because of the consolidation of democracy and the changes in the international political economy. Certainly the assertion of a democratic regional power is a process that has imperfections, which in the most dramatic moments can awaken the memory of the ignoble regimes that preceded the democratization process. Social dilemmas are evident and very peculiar, and the degree and quality of international leadership that Brazil and South Africa can achieve in the XXI century is directly related to the resolution of these social questions. In this sense, the political participation of civil society in policy-making plays a key role, since it has a striking interface with the international legitimacy desired by both countries. Initiatives such as the South-South cooperation can enhance the role of these regional powers.

Returning to the central question of this work, does the human rights foreign policy corroborate or refute the assertion of Brazil and South Africa as regional powers? This analysis should take into account the dual objective of regional powers which passed by recent democratization processes: democratic consolidation and international prominence. The improvement of the mechanisms of political participation of civil society, exemplified with the legislative committees, is a reliable element confirming that institutions in both countries are moving decisively to the consolidation of these young democracies. Moreover, the participation of civil society,
particularly human rights NGOs, allows the questioning of the coherence of the foreign policy on human rights. The background to these questionings is the partnerships of Brazil and South Africa with countries known to violate human rights, as well as the non-condemning votes to these countries in the international human rights regime. However, Brazilian and South African justifications for these procedures are believable and do not delegitimize their foreign policies in the field of human rights. Brazil seeks to diversify its partnerships and criticizes the functioning of the international human rights regime due to its selectivity and politicization. The revisionist attitude by changes in the global governance does not disqualify the foreign policy on human rights. South Africa is a leader in defense of African interests, increasing its involvement in peacekeeping operations, and it is also a revisionist of the global governance institutions. The main factor legitimizing the human rights foreign policies of these regional powers is the public debate over the question disseminated into various sectors of the Brazilian and South African societies.

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