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Human Rights

A New High In Cultural Evolution

By W. Montague Cobb

For the first time in human history, the concept of "human rights" is having world-wide impact—an effect which will prove as earth-shaking as that produced by the publication in 1859 of Charles Darwin's "The Origin of Species by Means of Natural Selection, or, The Preservation of Favored Races in the Struggle for Life."

The human rights concept, of course, is not new. While the Preacher said, "There is no new thing under the sun." Hamlet observed to Horatio, "There are more things in heaven and earth than are dreamt of in our philosophy." One can recognize truth in both statements and one must attune to the truth in the main theme of Bergson's "Creative Evolution" that adaptability is the key to survival.

Antiquity of Cooperative Behavior

Since his emergence as a species, man has had to depend upon some kind of cooperative behavior for survival. His large brain has enabled him to develop weaponry more than adequate to compensate for his fairly defenseless body.

At the annual convention of the National Association for the Advancement of Colored People in St. Louis last year, Dr. Donald Johanson, curator of physical anthropology at the Cleveland Museum of Natural History, described the remains of the oldest human family thus far known that were found by him and by Dr. Maurice Taieb in Ethiopia during 1974-75. This skeleton group is estimated to have an age of about three and half million years. The fragmentary evidence of these finds, Johanson suggested, indicates that in this antiquity man was not a group of individuals each going it alone, but even then some form of cooperative behavior had come into being, a tacit recognition of the interdependence of individuals.

In the subsequent development of human social organization, there has always been a kind of implicit competition as to which was more important, the individual or the society. As political development advanced, this became crystallized in

two diametrically opposed doctrines. *Man exists for the state, and, the state exists for man.*

Plato and Aristotle

The former concept finds earliest expression in the works of Plato (427-347 B.C.) and the latter in those of his gifted pupil Aristotle (384-322 B.C.).

In his design for the ideal state, Plato postulated that it would be governed by the most talented youth who, during their prolonged training to become "guardians" of the state, would live a communal life—sharing all things without the usual family ties.

Aristotle, on the other hand, held that happiness is achieved as an individual and not a community pursuit, and as to government, he elaborated the doctrine of the separation of the powers upon which our own republic is based. Plato had pointed out that power corrupts. Aristotle's doctrine separated the legislative, executive and judicial arms so that power could not become too concentrated.

The basis for the form of the modern democratic governments was clearly established in classical Greek thought, but after the fall of the Greek city states under Alexander the Great (356-323 B.C.), democratic ideas did not reappear for some 2000 years.

It is interesting to note that up to the 17th century no attention was paid to such a concept as fundamental human rights, and the necessity of slavery as an institution was taken as a matter of course.

The Enlightenment

In 1656, James Harrington in his influential work, "Oceana," showed the separation of the powers from a theory of mixed government combining the advantages of monarchy, aristocracy (in the sense of the best) and democracy.

Another Englishman, John Locke, published in 1690 a classic treatise, "Of Civil Government," in which he emphasized the importance of the separation of the legislative and executive powers and

held that "life, liberty and estate (property)" were a natural right of man. The concept of human rights was on the way. Locke has been considered an inspirer of the American Constitution and an initiator of the Age of Enlightenment and Reason in England and France.

Two subsequent influential documents were: "On the Spirit of the Law," by Montesquieu in 1748, which again stressed the doctrine of the separation of the powers, and "The Social Contract," by Rousseau in 1762, which covered a broad area but recognized that a mass meeting is rarely capable of settling the day-to-day problems of public administration.

The American Declaration

It was in the American colonies, however, that the new ideas took sufficient root to be formulated by Thomas Jefferson in the U.S. Declaration of Independence, on July 4, 1776. "We hold these truths to be self evident, that all men are created equal, that they are endowed by their creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness."

The fall of the Bastille on July 14, 1789, followed the American Revolution and it was not until September 3, 1791, that the Preamble to the French Constitution embodied the Declaration of Rights of Man and of the Citizen. This comprehensive statement derived in part from the constitutions of states such as Virginia and New Hampshire, and from the thought of many writers of the Enlightenment, like Montesquieu on the separation of the powers, Locke on natural rights, Rousseau on the sovereignty of the nation, Voltaire on individual safeguards and the group called the Physiocrats on the inviolability of private property.

Address to Abolition

In the long period of socio-political evolution from Plato to Jefferson, however, the question of slavery had never been directly addressed. It had been denounced in Locke's famous treatise already cited.

Over the next century, slavery and the slave trade were increasingly opposed and condemned. To its credit the United States was the prime mover, as in the case of the Declaration of Independence. It forbade in 1794 any participation by American subjects in the slave trade to foreign countries, and in 1808 prohibited further importation of slaves. In 1807, the British Parliament had passed a law against any ship clearing out for slaves from any port in the British dominions, and in 1808 introduced another law that said no slaves should be landed in any of its possessions. Sweden, the Netherlands and France withdrew from the trade in 1813, 1814 and 1818, respectively. Through pressure from the British, the remaining suppliers of slaves to the New World—the Spanish and Portuguese—negotiated agreements among themselves in 1842 for complete suppression of the slave trade with naval power.

Slavery in the New World countries and colonies was abolished by regular legal process, except for the United States where this had to be accomplished by what Ulysses S. Grant called "the most sanguinary and expensive war of modern times." The absurdity of the American Civil War was best expressed by Lincoln in his second inaugural address: "It may seem strange that any men should dare to ask a just God's assistance in wringing their bread from the sweat of other men's faces, but let us judge not that we be not judged."

Universal Declaration of Human Rights

The long and arduous road to world-wide recognition and partial definition of fundamental human rights is well known.

On December 10, 1948, the General Assembly of the United Nations adopted by a unanimous vote the Universal Declaration of Human Rights, with the Soviet Union, Saudi Arabia and the Union of South Africa abstaining. The Declaration was proclaimed as "a common standard of achievement for all peoples and nations, to the end that every individual and

organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance."

Impact of the Carter Administration

It is known that there has been anticipated trouble in securing observance of the Universal Declaration, but "God moves in a mysterious way His wonders to perform," and therein lies the impact of the Carter Administration's advocacy of human rights. It has been promulgated at a time, and under circumstances which have arrested the attention of the whole world. There can be no turning back. Cultural evolution has reached a new high in the universal acknowledgement of human rights. □

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