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Statement on Human Rights (1947) and Commentaries

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Statement on Human Rights

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the Executive Board, American Anthropological Association*

The problem faced by the Commission on Human Rights of the United Nations in preparing its Declaration on the Rights of Man must be approached from two points of view. The first, in terms of which the Declaration is ordinarily conceived, concerns the respect for the personality of the individual as such, and his right to its fullest development as a member of his society. In a world order, however, respect for the cultures of differing human groups is equally important.

These are two facets of the same problem, since it is a truism that groups are composed of individuals, and human beings do not function outside the societies of which they form a part. The problem is thus to formulate a statement of human rights that will do more than just phrase respect for the individual as an individual. It must also take into full account the individual as a member of the social group of which he is a part, whose sanctioned modes of life shape his behavior, and with whose fate his own is thus inextricably bound.

Because of the great numbers of societies that are in intimate contact in the modern world, and because of the diversity of their ways of life, the primary task confronting those who would draw up a Declaration on the Rights of Man is thus, in essence, to resolve the following problem: How can the proposed Declaration be applicable to all human beings, and not be a statement of rights conceived only in terms of the values prevalent in the countries of Western Europe and America?

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Before we can cope with this problem, it will be necessary for us to outline some of the findings of the sciences that deal with the study of human culture, that must be taken into account if the Declaration is to be in accord with the present state of knowledge about man and his modes of life.

If we begin, as we must, with the individual, we find that from the moment of his birth not only his behavior, but his very thought, his hopes, aspirations, the moral values which direct his action and justify and give meaning to his life in his own eyes and those of his fellows, are shaped by the body of custom of the group of which he becomes a member. The process by means of which this is accomplished is so subtle, and its effects are so far-reaching, that only after considerable training are we conscious of it. Yet if the essence of the Declaration is to be, as it must, a statement in which the right of the individual to develop his personality to the fullest is to be stressed, then this must be based on a recognition of the fact that the personality of the individual can develop only in terms of the culture of his society.

Over the past fifty years, the many ways in which man resolves the problems of subsistence, of social living, of political regulation of group life, of reaching accord with the Universe and satisfying his aesthetic drives has been widely documented by the researches of anthropologists among peoples living in all parts of the world. All peoples do achieve these ends. No two of them, however, do so in exactly the same way, and some of them employ means that differ, often strikingly, from one another.

Yet here a dilemma arises. Because of the social setting of the learning process, the individual cannot but be convinced that his own way of life is the most desirable one. Conversely, and despite changes originating from within and without his culture that he recognizes as worthy of adoption, it becomes equally patent to him that, in the main, other ways than his own, to the degree they differ from it, are less desirable than those to which he is accustomed. Hence valuations arise, that in themselves receive the sanction of accepted belief.

The degree to which such evaluations eventuate in action depends on the basic sanctions in the thought of a people. In the main, people are willing to live and let live, exhibiting a tolerance for behavior of another group different than their own, especially where there is no conflict in the subsistence field. In the history of Western Europe and America, however, economic expansion, control of armaments, and an evangelical religious tradition have translated the recognition of cultural differences into a summons to action. This has been emphasized by philosophical systems that have stressed absolutes in the realm of values and ends. Definitions of freedom, concepts of the nature of human rights, and the like, have thus been narrowly drawn. Alternatives have been decried, and suppressed where controls have been established over non-European peoples. The hard core of *similarities* between cultures has consistently been overlooked.

The consequences of this point of view have been disastrous for mankind. Doctrines of the "white man's burden" have been employed to implement economic exploitation and to deny the right to control their own affairs to millions of peoples over the world, where the expansion of Europe and America has not meant the literal extermination of whole populations. Rationalized in terms of ascribing cultural inferiority to these peoples, or in conceptions of their backwardness in development of their "primitive mentality," that justified their being held in the tutelage of their superiors, the history of the expansion of the western world has been marked by demoralization of human personality and the disintegration of human rights among the peoples over whom hegemony has been established.

The values of the ways of life of these peoples have been consistently misunderstood and decried. Religious beliefs that for untold ages have carried conviction, and permitted adjustment to the Universe have been attacked as superstitious, immoral, untrue. And, since power carries its own conviction, this has furthered the process of demoralization begun by economic exploitation and the loss of political autonomy. The white man's burden, the civilizing mission, have been heavy indeed. But their weight has not been borne by those who, frequently in all honesty, have journeyed to the far places of the world to uplift those regarded by them as inferior.

We thus come to the first proposition that the study of human psychology and culture dictates as essential in drawing up a Bill of Human Rights in terms of existing knowledge:

1. *The individual realizes his personality through his culture, hence respect for individual differences entails a respect for cultural differences.*

There can be no individual freedom, that is, when the group with which the individual identifies himself is not free. There can be no full development of the individual personality as long as the individual is told, by men who have the power to enforce their commands, that the way of life of his group is inferior to that of those who wield the power.

This is more than an academic question, as becomes evident if one looks about him at the world as it exists today. Peoples who on first contact with European and American might were awed and partially convinced of the superior ways of their rulers have, through two wars and a depression, come to re-examine the new and the old. Professions of love of democracy, of devotion to freedom have come with something less than conviction to those who are themselves denied the right to lead their lives as seems proper to them. The religious dogmas of those who profess equality and practice discrimination, who stress the virtue of humility and are themselves arrogant in insistence on their beliefs have little meaning for peoples whose devotion to other faiths makes these inconsistencies as clear as the desert landscape at high noon. Small wonder that these peoples, denied the right to live in terms of their own cultures, are discovering new values in old beliefs they had been led to question.

No consideration of human rights can be adequate without taking into account the related problem of human capacity. Man, biologically, is one. *Homo sapiens* is a single species, no matter how individuals may differ in their aptitudes, their abilities, their interests. It is established that any normal individual can learn any part of any culture other than his own, provided only he is afforded the opportunity to do so. That cultures differ in degree of complexity, of richness of content, is due to historic forces, not biological ones. All existing ways of life meet the test of survival. Of those cultures that have disappeared, it must be remembered that their number includes some that were great, powerful, and complex as well as others that were modest, content with the *status quo*, and simple. Thus we reach a second principle:

2. *Respect for differences between cultures is validated by the scientific fact that no technique of qualitatively evaluating cultures has been discovered.*

This principle leads us to a further one, namely that the aims that guide the life of every people are self-evident in their significance to that people. It is the principle

that emphasizes the universals in human conduct rather than the absolutes that the culture of Western Europe and America stresses. It recognizes that the eternal verities only seem so because we have been taught to regard them as such; that every people, whether it expresses them or not, lives in devotion to verities whose eternal nature is as real to them as are those of Euroamerican culture to Euroamericans. Briefly stated, this third principle that must be introduced into our consideration is the following:

3. Standards and values are relative to the culture from which they derive so that any attempt to formulate postulates that grow out of the beliefs or moral codes of one culture must to that extent detract from the applicability of any Declaration of Human Rights to mankind as a whole.

Ideas of right and wrong, good and evil, are found in all societies, though they differ in their expression among different peoples. What is held to be a human right in one society may be regarded as anti-social by another people, or by the same people in a different period of their history. The saint of one epoch would at a later time be confined as a man not fitted to cope with reality. Even the nature of the physical world, the colors we see, the sounds we hear, are conditioned by the language we speak, which is part of the culture into which we are born.

The problem of drawing up a Declaration of Human Rights was relatively simple in the Eighteenth Century, because it was not a matter of *human* rights, but of the rights of men within the framework of the sanctions laid by a single society. Even then, so noble a document as the American Declaration of Independence, or the American Bill of Rights, could be written by men who themselves were slave-owners, in a country where chattel slavery was a part of the recognized social order. The revolutionary character of the slogan "Liberty, Equality, Fraternity" was never more apparent than in the struggles to implement it by extending it to the French slave-owning colonies.

Today the problem is complicated by the fact that the Declaration must be of world-wide applicability. It must embrace and recognize the validity of many different ways of life. It will not be convincing to the Indonesian, the African, the Indian, the Chinese, if it lies on the same plane as like documents of an earlier period. The rights of Man in the Twentieth Century cannot be circumscribed by the standards of any single culture, or be dictated by the aspirations of any single people. Such a document will lead to frustration, not realization of the personalities of vast numbers of human beings.

Such persons, living in terms of values not envisaged by a limited Declaration, will thus be excluded from the freedom of full participation in the only right and proper way of life that can be known to them, the institutions, sanctions and goals that make up the culture of their particular society.

Even where political systems exist that deny citizens the right of participation in their government, or seek to conquer weaker peoples, underlying cultural values may be called on to bring the peoples of such states to a realization of the consequences of the acts of their governments, and thus enforce a brake upon discrimination and conquest. For the political system of a people is only a small part of their total culture.

World-wide standards of freedom and justice, based on the principle that man is free only when he lives as his society defines freedom, that his rights are those he recognizes as a member of his society, must be basic. Conversely, an effective

world-order cannot be devised except insofar as it permits the free play of personality of the members of its constituent social units, and draws strength from the enrichment to be derived from the interplay of varying personalities.

The world-wide acclaim accorded the Atlantic Charter, before its restricted applicability was announced, is evidence of the fact that freedom is understood and sought after by peoples having the most diverse cultures. Only when a statement of the right of men to live in terms of their own traditions is incorporated into the proposed Declaration, then, can the next step of defining the rights and duties of human groups as regards each other be set upon the firm foundation of the present-day scientific knowledge of Man.

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Comments on the Statement on Human Rights

Julian H. Steward

When the Executive Board was instructed to draft a "Statement on Human Rights," it was, I believe, generally understood that any political stand or value judgment should be avoided. The Board has obviously made every effort to limit the Statement to scientifically supportable assertions, but it seems clear now that it was asked to do the impossible. I am led to this conclusion not only by my own thinking, but by discussions which I have heard.

If the plea that cultural values be respected means merely that the primitive peoples, who are on the receiving end of civilizing influences, be treated with greater understanding and tolerance, there can be little objection to it. To be universally valid, however, the Statement must apply equally to the cultural values which underlie the internal policies and motivate the foreign affairs of the civilized nations. I should doubt that, in urging that values be respected because "man is free only when he lives as his society defines freedom," we really mean to approve the social caste system of India, the racial caste system of the United States, or many of the other varieties of social discrimination in the world. I should question that we intend to condone the exploitation of primitive peoples through the Euro-American system of economic imperialism, while merely asking for more understanding treatment of them: or, on the other hand, that we are prepared to take a stand against the values in our own culture which underly such imperialism.

As "respect for cultural differences" certainly does not advocate tolerance of the values in Nazi Germany, where the "individual . . . [realized] his personality" through the Youth movement, a qualification is introduced (p. 543) that seems to contradict the basic premise and to be incompatible with anthropological thinking. "Even where political systems exist that deny citizens the right of participation in their government, or seek to conquer weaker peoples, underlying cultural values may be called on to bring the peoples of such states to a realization of the consequences of the acts of their governments, and thus enforce a brake upon discrimination and conquest." This may have been a loophole to exclude Germany from the advocated tolerance, but it looks to me like the fatal breach in the dyke. Either we tolerate everything, and keep hands off, or we fight intolerance and conquest – political and economic as well as military – in all their forms. Where shall the line be drawn? As human beings, we unanimously opposed the brutal treatment of Jews in Hitler Germany, but what stand shall be taken on the thousands of other kinds of racial

and cultural discrimination, unfair practices, and inconsiderate attitudes found throughout the world?

What are these “underlying cultural values” that can be used to suppress intolerance and promote political freedom in cultures which lack economic or social freedom, or that can be used to halt conquest in a competitive world? Even if there were agreement on objectives, it would take some pretty fancy handling to revamp the portions of cultures which are disapproved. I had thought that anthropologists, of all people, stressed the interrelatedness of cultural values and patterns.

Without committing itself to particulars, the Statement is a value judgment any way it is taken. If it does not advocate tolerance for *all* cultural values, no matter how repugnant some of them may be to us as individuals, then it must imply disapproval of *some* cultural values, though it also says that we have no scientific basis for making any value judgments.

The conclusion seems inescapable that we have gotten out of our scientific role and are struggling with contradictions. During the war, we gladly used our professional techniques and knowledge to advance a cause, but I hope that no one believes that he had a scientific justification for doing so. As individual citizens, members of the Association have every right to pass value judgments, and there are some pretty obvious things that we would all agree on. As a scientific organization, the Association has no business dealing with the rights of man. I am sure that we shall serve science better, and I daresay we shall eventually serve humanity better, if we stick to our purpose. Even now, a declaration about human rights can come perilously close to advocacy of American ideological imperialism.

On Science and Human Rights

H. G. Barnett

In a recent issue of the *Anthropologist* there appeared a copy of the “Statement on Human Rights” authored by the Executive Board of the Anthropological Association and submitted to one of the commissions of the United Nations. In taking this action the Board has exhibited initiative of the sort that was contemplated when the question of the reorganization of the Association was first conceived and discussed. It is to be commended for its energy and alertness, and for accepting the responsibility of forwarding the interests of the Association. It is unfortunate, however, that the first major commitment of the Association should take the form that it has. The document submitted to the United Nations is likely to have an effect the opposite of that which was intended; and, in any event, it places the Association on record in a way that embarrasses its position as a scientific organization. It would be regrettable if it were to establish a precedent.

The import of the Statement is that anthropologists, as trained students of human relations who maintain a disciplined attitude toward their materials, have something scientific to say about the requirements for a charter of human rights. Unfortunately this is not so; and the reason is as obvious as it is well known; namely, that there is no scientific approach to the question of human rights, nor to any other problem that calls for an appraisal of human relations in terms of some absolute value system.

Any right, even the “right” to live, is such only by definition. It is contingent upon some presupposition, no matter how vaguely or precisely this may be appreciated, nor how restricted or universal is its application. Within the areas of their acceptance such presuppositions are regarded as absolutes by the people who adhere to

them. They define the good, the true, and the proper; and individual behavior is measured, i.e., valued, in terms of the ultimates that they set up. It is the business of the social scientist to record the existence of these value systems, and to study them in all possible ways. It is not his business, *as a scientist*, to adopt the point of view of the people he studies and declare for the superior merits of the values of any one of them. And since anthropologists aspire to an objective study of our culture along with the rest, and reiterate that it must be treated only as one among many, this detachment with respect to our value system is imperative if we are not to lay ourselves open to charges of bias along with the rest of humanity.

It should not be necessary to remind anthropologists of these elementary precepts in our training, and some may resent my impudence in presuming to do so. There is, nevertheless, a need for such a reminder. There is a growing tendency among anthropologists at the present time to subscribe wholeheartedly to the precept of complete objectivity in the abstract and to violate it in practice. This is especially true in these days when glimpses of the practical uses of our data spur us into unexplored areas. All too frequently nowadays we find the anthropologist assertedly making a scientific study of a social situation and yet making recommendations about what “should” be done to remedy its “defects.” Too often we find the anthropologist who has analyzed the culture of a people assuming that he knows what is “best” for them. This, in fact, is a common occupational disability. The line of reasoning is not easy to follow, but it is clear what has happened in such cases: the observer, as a result of his knowing a great deal about a people, comes to believe that he also knows what is “good” for them. Upon reflection it must become obvious that there is no necessary connection between a knowledge of the facts of a people’s existence and judgments about the significance of those facts based upon some necessarily arbitrary scheme of values. Proficiency in the one has no bearing upon expertness in the other. An intimate knowledge of a people throws no light upon their “needs” – except by virtue of reference to some standard which must always be assumed to be valid in itself, and which is therefore not dependent upon any scientific findings. And since goods are a matter of convention or convenience only, the anthropologist is no more qualified to make decisions about them than is the executive or the administrator; and he would do well not to jeopardize his professional standing by pretending that he is. In other words, the worth or propriety of human motivations and goals is a matter of opinion, adjudication, and policy; whereas the question of the means that are employed, or that can be employed, to achieve these pre-determined goals is amenable to objective analysis and can yield, some day we hope, a foundation for prediction.

It is an inescapable fact that we cannot at the same time be moralists (or policy makers) and scientists. We all know this; we teach it and practice it – except in the pinches when our private or group interests and prejudices become involved. Then, unhappily, we behave like any undisciplined layman – except that, having more resources at our disposal for rationalization, we are more adept at defending our preconceptions. The Statement on Human Rights is a case in point, and because of the seriousness of the criticism I would like to point out specifically why this is so.

The problem, as stated in this document, is: “How can the proposed Declaration [on the Rights of Man] be applicable to all human beings, and not be a statement of rights conceived only in terms of the values prevalent in the countries of Western Europe and America?” It is difficult to see how the discussion that follows is believed to throw any light on the solution of this difficulty. On the contrary, the facts

and “principles” that are offered, when viewed objectively, reveal the confused thinking that commonly accompanies such attempts, and contain within themselves the refutation of the basic proposition that is advanced as a solution. Thus, the third “principle” states: “Standards and values are relative to the culture from which they derive so that any attempt to formulate postulates that grow out of the beliefs or moral codes of one culture must to that extent detract from the applicability of any Declaration of Human Rights to mankind as a whole.” Most of us, I believe, can subscribe to this. But what is the conclusion to be drawn from it? For a proposition to lead anywhere there must be a second premise, in this case one involving the basic argument of the authors of the Statement, which is that “man is free only when he lives as his society defines freedom.” Surely it must be realized that this concept is a value or a standard that is relative to American tradition. There are a great many people in the world to whom it is not a self-evident fact; and it certainly is not a discovery of science. The conclusion must follow, then, that an attempt to include this postulate in a Declaration on the Rights of Man detracts by so much from the applicability of the declaration to mankind as a whole. Thus, the Statement unwittingly sets up what it aims to attack, namely an absolute in the carnival of values.

The confusion of values with facts in the first and second “principles” makes them ironical in a context that decries the widespread tendency to evaluate differences in cultures. Regardless of our sympathies it must be admitted that these sentences do no more than rationalize a certain point of view. In each instance the “principle” contains a fact that is carried off into the realms of casuistry by a purely verbal linkage with a humanitarian ideal. Thus we can show proof, as the first “principle” implies, that “the individual realizes his personality through his culture.” But what researches have shown that “respect for individual differences entail a respect for cultural differences?” If anything, research would probably show the opposite. Obviously, the only meaning this part of the statement can have is that *if* one has respect for individual differences then one *should* have respect for cultural differences. But this has nothing to do with science, and requires an additional premise to meet the requirements of logic.

Much the same can be said of the second “principle.” The fact that we cannot qualitatively evaluate cultures in no way calls for the conclusion that this “validates” respect for differences between them. The most that can be said is that *if* respect is due all things that cannot be differentiated then it is due all cultures. But in any event, respect is a measure of value, and science knows no means of determining when and where it *should* function, only when and where it does. Beyond that the philosophers take over.

It is disturbing to find a document of this sort resting upon such a shaky foundation of hidden premises. Only that fact can account for the evaluative descriptions of certain historical situations (e.g., “disastrous for mankind,” “demoralization of human personality,” etc.); and for such otherwise meaningless statements as: “There can be no full development of the individual personality as long as the individual is told, by men who have the power to enforce their commands, that the way of life of his group is inferior to that of those who wield the power.” No matter how we may feel about the situation, it can hardly be denied that the individual Javanese or Samoan, for instance, has a fully developed personality – unless the definition of “full development” rests upon some arbitrary premise that excludes these cases.

The weakness that is inherent in all evaluative approaches to social problems – those that involve preconceptions of what is “good” or “bad” for a people – is

evident in the third from the last paragraph of the Statement. In it the question of totalitarian states and their obscurantist policies is raised, and advised upon, apparently without embarrassment, although the doctrine of cultural self-determination, advocated throughout the rest of the argument, seems to suffer in the process. To quote: "Even where political systems exist that deny citizens the right of participation in their government, or seek to conquer weaker peoples, underlying cultural values may be called on to bring the peoples of such states to a realization of the consequences of the acts of their governments, and thus enforce a brake upon discrimination and conquest." In other words, there should be a limit to the application of the doctrine of cultural *laissez-faire*. The United Nations are advised to allow free choice in cultural, hence individual, development unless a people choose to reject the ideal of individual freedom, an eventuality that we Americans can conceive to happen only because of ignorance. This is, of course, the ultimate dilemma of democracy; but that is no reason why anthropologists should throw themselves on its horns with a "scientific" solution.

At this critical point in the career of the Association it is fitting and necessary for us to take stock of ourselves as professed scientists. We should each of us, and all together, get our bearings and decide where we are going. That much at least can be expected of us immediately. To date our performance in the field of cultural anthropology has not been very promising. We can do an excellent job of reporting and analyzing, but beyond that we are, as a group, badly confused. In our factual accounts we are exacting and tireless in our efforts to be exhaustive and accurate; but in our entirely understandable wishes to put our knowledge to practical use we too often forget that there is a fundamental distinction between social engineering and social planning, between recommending means and recommending ends. And as long as we cannot ourselves divorce our opinions from our facts we cannot expect others to take us at face value as scientists.

We need to do some thinking on this matter before we further commit ourselves on an action program. We cannot afford to jeopardize what little scientific repute we have by advocating predilections disguised as universals. For one thing, the sequel is more than likely to prove us wrong; and, for another, people of all degrees of sophistication will still prefer their opinions to ours despite the quantities of "evidence" that we can bring to bear. If we must support proposals and movements – and I believe that the Association should at times do just that – then let us admit, either tacitly or explicitly, that we have an axe to grind and dispense with the camouflage. Above all, let us not delude ourselves that in defining the right, the true, and the just we are building upon "the firm foundation of the present day scientific knowledge of Man."