There Is More to Come: The Analytical Dynamics of Human Rights and Social Need

Stewart B. Whitney

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Let us hope that the grace of understanding may be vouchsafed us and that we may choose, before it is too late, the right road—the road that leads not to death, but to the further realization of man's unique creative mission on this planet![1]

—Pitirim A. Sorokin, 1957

INTRODUCTION: THE PROMISE

In Ecclesiastes appears the passage:

Vanity of vanities; all is vanity . . . . There is no new thing under the sun . . . there is no remembrance of former things; neither shall there be any remembrance of things that are to come with those that shall come after.

History knows no end; its construction proceeds through Epochs and catastrophies. Man, as the actor, merely adapts to the changing conditions of the times. If, however, one assumes social life to be an organic historical process, then man is the symbol and meaning of this adaptation and change.

While the degree of adaptation and change fluctuates throughout the Epochs of man, our Epoch contains marked change in accelerated and intensive fashion. As Sir Julian Huxley has stated:

The most bewildering characteristic of the present moment of history is that things are happening faster and faster. The pace of change in human affairs, originally so slow as to be unnoticed, has steadily accelerated, until today we can no longer measure it in terms of generations: Major changes now take place every few years and human individuals have to make several drastic adjustments in the course of their working lives . . . . Change today is disruptive; its trends are diverging in various directions. What is more, many of them are self-limiting or even self-destructive.[2]

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[1] P. SOROKIN, THE CRISIS OF OUR AGE: THE SOCIAL AND CULTURAL OUTLOOK (1941).
[2] J. HUXLEY, THE CRISIS IN MAN'S DESTINY (1943).

Here, Huxley attempts to analyze the relationship between social change and the analytical dynamics of human rights and social need. The realization of the praxis of the Democratic Community, however, can survive the disintegration of the principles of social order if it be recognized that the struggle to freedom is the call of that survival.[3]

COMMUNITY: THE ADAPTATION OF HUMAN RIGHTS AND SOCIAL NEED

Community presupposes the realization of certain principles in social action, *viz.* the praxis of human rights and social need. Participation demands responsibility and reciprocity; meaning requires integration.

Basic Principles

Archaeological and ethnographic evidence suggest that cooperation is the basis of maintaining social life.[4] Socialization and social control are basic processes that enable the Community to maintain its social bonds. By maintaining these bonds through regulation of a code of ethics, the Community is able to structure social life so as to satisfy the rights and needs of its participants. These processes regulate the behavior of the participants in codified ways. As Margaret Mead notes:

> When we examine how any society works, it becomes clear that it is precisely the basic taboos—the deeply and intensely felt prohibitions against 'unthinkable' behavior—that keep the social system in balance . . . the taboo lies much deeper in our consciousness, and by prohibiting certain forms of behavior also affirms what we hold most precious in our human relationships.[5]

Responsibility and reciprocity are two basic principles of social life; without them, a Community perishes. They regulate the internalization of the code of ethics; the relationship between the sexes and the cooperative means by which the Community solves its basic and recurring problems. Finally, they give meaning to the members in the praxis of human rights and social need.

Responsibility

The responsibility for Community cooperation has its own intrinsic morality.[6] Moral solidarity is characteristic of the "conscience collective" or the spirit of shared symbols and meanings among Community members. Moral solidarity, however, is dependent upon the internalization, exercise

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[3] In addition to the sociological studies of Emile Durkheim and Max Weber, the work by Elwin H. Powell is a probative and rather definitive statement about the dynamics of social order. *See* E. POWELL, THE DESIGN OF DISCORD: STUDIES OF ANOMIE (1970).

[4] *See* R. LEAKEY & R. LEWIN, ORIGINS (1977); Klein, *The Ecology of Early Man in Southern Africa*, SCIENCE, July 8, 1977, at 115-126.

[5] Mead, *A Proposal: We Need Taboos On Sex At Work*, REDBOOK, April 1978, at 31.

[6] *See* E. DURKHEIM, SUICIDE: A STUDY IN SOCIOLOGY (J. Spaulding & G. Simpson trans. 1951).

and configuration of each member. Each member shares in the responsibil-
ity to realize Community.

The process of Community necessitates both conscriptual and voli-
tional obligations among its members. The social action of fulfilling obliga-
tions depends upon a sense of respect for all members; a kind of friendship
and regard of persons independent of intimacy and status. To realize re-
sponsibility, a member must react to a situation defined for response; it is
a form of social interaction basic for social order.[7] By virtue of membership
in a Community, a person is given responsibility.

The process of responsibility involves several "decisive factors."[8] Ini-
tially, a member confronts an "inward measuring up," whereby he assesses
the necessity of personal compliance with social demands. Secondly, he
develops a sense of maturity or awareness of the meaning of his obligations.
Finally, a member senses and feels responsibility for the consequences of
his action. This ethic of responsibility, however, is separate from social
action; responsibility precedes action. To respond with responsibility is to
share directly in Community with other responsible members.

Anthropological research contains extensive data that reveal the basic
importance of the responsibility principle. It is within this available re-
source material that one discovers the interdependence of responsibility
and behavior. In traditional society individuality is not distinguished;
Community requires universal oneness and unity.[9] Responsibility is sacred
in meaning, and suggests the most intense social experience. In this sense,
responsibility assumes accountability to all members of the band through
mutual trust. As has been aptly stated: "It is only the ignorant person that
sees many where there is really only one."[10]

Reciprocity

In the Community, the principles of responsibility and reciprocity are
interdependent. Responsibility is the spirit of social action while reciproc-
ity defines the form.

According to Alvin W. Gouldner, L.T. Hobhouse holds that
"reciprocity . . . is the vital principle of society."[11] It is the key process
through which shared social rules are enabled to yield social stability.[12]
Gouldner further notes that Richard Thurnwald emphasizes the "principle
of reciprocity." According to Thurnwald, "[t]his principle is almost a

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[7] *See* H. NIEBUHR, THE RESPONSIBLE SELF 61-65 (1963).

[8] *See* H. GERTH & C. MILLS, FROM MAX WEBER: ESSAYS IN SOCIOLOGY 126-28 (1958).

[9] The basis of community is described throughout the classic studies of traditional societies;
Trobriand Islanders, Maya, Cuna Indians, Dakota, Eskimo, *et. al.* For a contemporary study,
see S. WHITNEY, ECOLOGY AND CULTURAL IDENTITY AMONG ESKIMOS (1973).

[10] J. NIEHARDT, BLACK ELK SPEAKS (1961).

[11] L. HOBHOUSE, MORALS IN EVOLUTION: A STUDY IN COMPARATIVE ETHICS (1951).

[12] For a first rate exploratory statement on the principle of reciprocity, see Gouldner, *The
Norm of Reciprocity: A Preliminary Statement*, 1960 AMERICAN SOCIOLOGICAL REVIEW 161-78.
The author is especially indebted to Gouldner's statement and its suggestions.

primordial imperative which 'pervades every relation of primitive life' and is the basis on which the entire social and ethical life of primitive civilizations presumably rests."[13] Georg Simmel further suggests that reciprocity is the basis not only for traditional but for all societies. Social cohesion cannot exist without "the reciprocity of service and return service."[14] As Simmel contends, "[a]ll contracts among men rest on the schema of giving and returning the equivalence."[15]

The social exchange theories of Gouldner, Anthony Heath, and George Homans emphasize the importance of reciprocity in social life by suggesting that the mutually contingent exchange of benefits between two or more units is necessary for Community survival and maintenance.[16] Gouldner's position is that other theories focus on a typology of reciprocity: religious, economic, and sexual.[17] Kingsley Davis suggests that the incest taboo functions to prevent sexual exploitation, or the practice of unequal exchange. Davis adds that "[l]egitimate sexual relations ordinarily involve a certain amount of reciprocity. Sex is exchanged for something equally valuable . . . ."[18]

Although not all social relations are intimate in nature, reciprocity is the major form of social cohesion. "It is the nature of social interaction," notes Talcott Parsons, "that the gratification of ego's need-disposition is contingent on alter's reaction and vice-versa." A member of the Community has "rights of gratification which are dependent on the responsibilities" of the other members. Rights imply responsibilities, and in the Community they are transitive. Reciprocity implies that each member has rights and responsibilities.

In traditional society conformity is sanctioned by the social structure. Branislaw Malinowski suggests that members owe obligations to each other and conformity with norms is something they give to each other. Reciprocity is "associated with definite social ties . . . a mutual dependence and realized in the equivalent arrangement of reciprocal services."[20] Reciprocity, then, is the mutually gratifying pattern of exchanging feelings, goods and services.

Community and Responsibility

The principles of responsibility and reciprocity are universal. They occur, however, through socialization, which internalizes complementary

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[13] R. THURNWALD, ECONOMICS IN PRIMITIVE COMMUNITIES 106, 137 (1932).

[14] E. SIMMEL, THE SOCIOLOGY OF GEORG SIMMEL 387 (1950).

[15] Id.

[16] See Homans, Social Behavior as Exchange, 1958 AMERICAN JOURNAL OF SOCIOLOGY 597-606.

[17] Gouldner cites C. LÉVI-STRAUSS, LES STRUCTURES ÉLEMENTAIRES DE LA PARENTE (1949), R. FIRTH, PRIMITIVE POLYNESIAN ECONOMY (1950), and MAN AND CULTURE: AN EVALUATION OF THE WORK OF BRANISLAW MALINOWSKI (R. Firth ed. 1957).

[18] K. DAVIS, HUMAN SOCIETY 403-04 (1949).

[19] T. PARSONS, THE SOCIAL SYSTEM 21 (1951).

[20] B. MALINOWSKI, CRIME AND CUSTOM IN SAVAGE SOCIETY 55 (1926).

rights and obligations in members, before they assume responsible participation in the Community. The norms of responsibility and reciprocity structure social relations as adaptation to compliance and maintenance of social stability.

One becomes a member of the Community by taking the role of the "others" implicated with him in Community activity. He does this by imaginatively assuming the position or point of view of another member. Attitudes constitute a significant part of the role of the other. By taking the role of the other, the new member acquires a complex of beliefs, feelings and information which enable him to comprehend, evaluate and relate to the world. Taking the role involves the process of reflection. George Herbert Mead suggests that the process of reflection arises in social behavior.[21] Reflection involves the development of a self-concept—an individual's image or set of attitudes of himself which he derives from social experience. As John Kinch states: *"The self-concept is that organization of qualities that the individual attributes to himself."*[22]

As a member participates in the Community, he engages in continuous role-taking experiences. He develops self-consciousness. "Only in so far as he belongs toward the organized, cooperative social activity, or set of such activities in which that group as such is engaged," states Mead, "does he develop a complete self or possess the sort of complete self he has developed."[23] In this way participants begin to define themselves as members of the Community. This process permeates the entire complex of orientations regarding their world, including their views toward their roles. Included in this complex of orientations are the elements of loyalty to the Community, identification with other members of the Community, knowledge about the Community, and a self-image of rights and obligations in the Community.

The development of the Community self, which consists of organizing the social attitudes of the Community to which the person is a member is two-fold. It reaches its full development by organizing the individual attitudes of other members into organized group attitudes and by becoming an individual reflection of the general systematic pattern of behavior in which it and others are involved.[24] Community members acquire Community mentalities or mental pictures that form and interpret the world. The Community self develops through responsible and reciprocal Community participation, and sustains itself in the Community culture. As a member acquires loyalty and identification, he learns to conform to the principles, norms and attitudes of the members and to act discriminately toward non-members.

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[21] *See* G. MEAD, MIND, SELF AND SOCIETY 354-78 (1934).

[22] Kinch, *A Formalized Theory of the Self-Concept,* AMERICAN JOURNAL OF SOCIOLOGY, Jan., 1963, at 481 (emphasis in original).

[23] G. MEAD, *supra* note 21, at 155.

[24] *See* A. STRAUSS, THE SOCIAL PSYCHOLOGY OF GEORGE HERBERT MEAD 235 (1971).

Community members build strong bonds and solidarity accompanied by an intense sense of belonging. Participation in the Community, *Gemeinschaft,* provides members with meaning, identity and solidarity; it functions to sustain the individual in his day-to-day life.

SOCIETY: THE EROSION OF COMMUNITY

Industrialization and secularization accompanied by increased differentiation, privatization and atomization of bourgeois society have brought about conditions that tend to erode the basic needs of Community, including the principles of responsibility and the norms of rights and obligations.

Unfolding of the Unthinkable

A dramatic confrontation with the possible expendability of life represents the dramatic struggle of the 20th century. Herbert Marcuse notes that in contemporary society, one witnesses "the union of growing productivity and growing destruction; the brinkmanship of annihilation; the surrender of thought, hope, and fear to the decisions of the powers that be; the preservation of misery in the face of unprecedented wealth."

The struggle seems to have accelerated to such global significance today that one cannot dismiss the ominous conclusion of The Club of Rome's Project on the Predicament of Mankind:

> (1) If the present growth trends in world population, industrialization, pollution, food production, and resource depletion continue unchanged, the limits to growth on this planet will be reached sometime within the next one hundred years.
> (2) The basic behavior mode of the world system is exponential growth of population and capital, followed by collapse.[26]

In *Our Threatened Planet,* Joseph F. Goodavage predicts that "the winter of 1981 to be one of the worst on record. It will be a true deep freeze, and it's a harbinger of the winter of the '80's—which will become increasingly intense, climaxing in the late '80's with the most disastrous deep freeze in history."[27] This prediction is hardly comforting to those of us who live in the Frost Belt, and the possibility of cataclysmic weather and its consequences is threatening to all.

The polemics of environmental struggle mask the grave danger to our lives, *i.e.,* the possibility of the loss of Community.

Rise of the State

Loss of Community occurs with the rise of the State, *viz.,* the development of an institutionalized form of power designed to cope with the environmental struggle.

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[25] H. MARCUSE, ONE-DIMENSIONAL MAN XIII (1964).
[26] D. MEADOWS, THE LIMITS TO GROWTH 29 (1972).
[27] J. GOODAVAGE, OUR THREATENED PLANET (1977).

Centralization of institutionalized political-economic power, *i.e.*, the State, accompanies the growth of agritechnology and industrialization. The State is nurtured as Community principles and norms are displaced from the properties of the people and claimed as codified norms of established society. The struggle between Community and State threatens the viability of norms, especially as the State attempts to increase self-sufficiency by enlarging the area under its control. Using the tools of power and secrecy, the foundations of the totalitarian State, the State is able to assume command of society with the aim of social control pervasive in the totality of social reality.

According to Elwin H. Powell, the totalitarian States use police power to suppress rebellion: To be effective, the State's power must be legitimated by value-consensus and must function to provide security for its members; it rules the oppressed only so long as the oppressed submit to its authority voluntarily. In other words, the power of the State is proportionate to the impotence of the people.

The tyranny of the State rests on its isolation from the people and the isolation of people from each other through mutual fear and suspicion. This process contradicts the essential Community condition of plurality and organization; it threatens the basic unit of membership. As Powell states:

> Government is an Idea, not a thing. Not the building but the document contains the idea which runs the machinery of State. When the State is losing legitimacy, when it is no longer supported by the consent of the governed, then it resorts to secrecy and deceit.[28]

As isolation becomes increasingly pervasive, people lose claim to the legitimacy of accountability which results in a runaway tyranny. As John Herz contends:

> [It] renders obsolete traditional defense structures, bypasses the protective shell of the state. Paradoxically utmost strength now coincides in the same unit with utmost vulnerability, absolute power with utter impotence . . . nothing short of global rule can satisfy the security interest of any one power . . . each superpower's *logical* objective is the destruction of the other . . . . Now that destruction threatens everybody, the common interest of all mankind is in sheer survival.[29]

Loss of Self

A psychological adaptation to the condition of isolation and separation from Community standards accompanies the rise of the State. At its roots is the zealous pursuit of individual freedom from internal conditions and external controls. This process, however, presupposes self-discipline

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[28] E. POWELL, PROMOTING THE DECLINE OF THE RISING STATE 31 (1970). This unpublished manuscript is not only a viable research source but also inspirational for those who choose to be witnesses of the 20th century.

[29] Herz, *The Rise and Demise of the Territorial State,* 1957 WORLD POLITICS 473.

and self-direction free from the constraints of the oppressive State, and it lies at the base of self-liberation.

Self-liberation is a popular style in contemporary society; it offers solace to those anxious and uneasy about the loss of Community. While individualized and privatized activities are thought to give meaning to otherwise dull and empty lives, they in fact facilitate impotence. Since doing it yourself precludes cooperation, the extreme of self-liberation denies the social bond. Whereas the liberation is a member of the Community, one who escapes from the social bond has neither the freedom of liberty nor the sustenance of communitas. Excesses of luxury mask the final destruction of the Community.

PRESENT HUMAN CONDITION

What are the consequences of the transition from Community bonds structured by a religious code of ethics to those structured by a political-economic marketplace which are rational, contractual and legal in nature?

Anomie

Discontent grows during the disintegration of the Community. People no longer accept the established code of ethics, the traditional and conventional mores and folkways. Since social order prevails only when society accepts a code of ethics instilling people's needs and satisfactions, with heightened discontent the cohesion of the social order crumbles. The beliefs and practices a person learns from the Community make him the embodiment of the "collective conscience."[30] When the socialization process collapses, norms and values break down, and the code of ethics is rejected, Community enters a state of disintegration, a condition Emile Durkheim calls anomie.[31]

Since the person cannot draw his moral sustenance from the Community, anxiety is heightened by the conflict between systems of belief-and the resulting normlessness. Durkheim conceives three characteristics of anomie in the subjective sense: a painful uneasiness or anxiety, a feeling of separation from a group or isolation from social standards, and a feeling of pointlessness because no definite goals exist. Anomie connotes a state of confusion for the person. His needs are not sufficiently proportioned to his means; his goals are not realized, and his activities lack direction. The person experiences confusion, *viz.*, a sense of rootlessness, meaninglessness, aimlessness and loss of orientation.

As anomie increases in the society, the person's sense of meaningless-

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[30] A concept was developed by Durkheim in 1951 to indicate the totality of beliefs and practices of folkways and mores; he defines it as "a repository of common sentiments, a wellspring from which each individual conscience draws its moral sustenance."

[31] *Id.*

[32] For a discussion of anomie as meaninglessness, see E. POWELL, *supra* note 28.

ness heightens and a state of "selflessness" emerges.[33] Upon the collapse of the social order, the person wanders and wonders with persistent anomic tension in a search for some meaning-giving experience. The loss of *Gemeinschaft* and its social cohesion are accompanied by confusion, frustration and anxiety. Bourgeois moralization is incomplete. Mobility and dislocation from neighborhood and friends create disruptions of social patterns which affect socialization, moralization or internalization of conventional moral standards and loss of family solidarity.

The rootlessness and discord in social relationships heightens a sense of anomie. The established code of ethics loses its meaning and power and a fatalistic or nihilistic attitude results wherein conduct is no longer governed by a body of common values or morals. An acute sense of loneliness occurs whereby people are separated and the design of principles and norms shatters into autonomous fragments.

Disintegration of the Social Order

Individual experience is no longer rooted in a stable and integrated social milieu and much of life's activity loses its sense and meaning. Sorokin describes the trends of the disintegration of contemporary society as follows:

(1)   Sensate values will become . . . devoid of any universal recognition and binding power.

(2)   Atomized Sensate values . . . will be stripped of anything divine, sacred, and absolute.

(3)   "World's conscience" will disappear.

(4)   Contracts and covenants will lose the remnants of their binding power.

(5)   Rude force and cynical fraud will become the only arbiters of all values and of all interindividual and intergroup relationships.

(6)   Freedom will become a mere myth . . . Inalienable rights will be alienated; Declarations of Rights either abolished or used only as beautiful screens for an unadulterated coercion.

(7)   Governments will become more and more . . . tyrannical.

(8)   The family . . . will continue to disintegrate.

(9)   The Sensate supersystem of our culture will become increasingly a shapeless "cultural dumping place" . . . devoid of any unity.

(10)   Its creativeness will continue to wane and wither . . . . The place of moral categoric imperatives will be occupied by progressively atomistic and hedonistic devices.

(11)   The production of the material values will decline, depressions will grow worse, and the material standards of living will go down.

(12)   Security of life and possessions will fade.

(13)   Population will increasingly split.[34]

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[33] This point is discussed in S. DeGRAZIA, THE POLITICAL COMMUNITY: A STUDY OF ANOMIE (1948), and R. MERTON, SOCIAL THEORY AND SOCIAL STRUCTURE (1957).

[34] The statements are taken from the crises in P. SOROKIN, SOCIAL AND CULTURAL DYNAMICS 699-701 (1962).

With the disintegration of the social order, Community and social concord give way to social discord. As Margaret Mead contends, when the principles and norms of social order erode, "most of the subtle ways in which women and men relate to each other in a more limited setting break down."[35] The conflict between the intimacy of interdependence and autonomy results in erotic excess, *i.e.*, an orgy of escalating appetites. Such is the human condition in contemporary society.

RESOLUTION OF HUMAN RIGHTS AND SOCIAL NEED

Given the condition of apocalyptic discord and disintegration of the Community, one raises the questions: How can social life become organized into increasingly complex structures of associations among men? How can the principles of responsibility and reciprocity be restored for the realization of human rights and obligations?

Democratic Community: Realization of Responsibility and Accountability

Democratic Community occurs when "the spirit of religion combines harmoniously with the spirit of liberty."[36] A democratic way of life requires an individual who possesses in himself the authority, responsibility and order necessary for the maintenance of his society, *i.e.*, what Thomas Jefferson calls the "virtuous individual."

In the Democratic Community, responsibility and accountability are interdependent. Responsibility includes being responsive to and giving account of the consequences of one's actions. According to Max Weber's "Ethics of Responsibility," responsibility implies effectiveness and accountability; one is responsible for the consequences of his acts regardless of his intentions. Hence, responsibility does *not* relate primarily to the self.[37] To respond is to be responsible to others; responsibility is incomplete without reciprocity. The conditions of responsibility in the Democratic Community are social and political. The responsible person depends on the resources of the Community—the public condition for responsibility. The Democratic Community rests upon the strength of its social bonds to facilitate the realization of human rights through responsible and reciprocal commitment.

The *Weltanschauung* of democracy rests on the integration of human rights and Community, *viz.*, the social need. As Karl Mannheim states, between human rights and social need lie "the basic virtues and values which are the basis of the social order—brotherly love, mutual help, decency, social justice, freedom, respect."[38]

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[35] Mead, *A Proposal: We Need Taboos On Sex At Work,* REDBOOK, April 1978, at 31.

[36] A. DE TOCQUEVILLE, DEMOCRACY IN AMERICA 12 (1840).

[37] H. GERTH & C. MILLS, *supra* note 8, at 70-74.

[38] K. MANNHEIM, DIAGNOSIS OF OUR TIME (1943).

The Challenge

In America, the principles of the Democratic Community are not only ideational but also codified into the moral ethic. In 1776 the Declaration of Independence prescribed:

> 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—That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed, that whenever any Form of Government becomes destructive of these Ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its Foundation on such Principles, and organizing its Powers in such Form as to them shall seem most likely to effect their Safety and Happiness.

The United States Constitution, recognizing the principles of the Democratic Community, is unambiguous in its codification of human rights. The first amendment provides:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

The preservation and restoration of the Democratic Community is the challenge of our time. It is our finest struggle to eclipse social disintegration and to reestablish the principles of responsibility and reciprocity. The realization of human rights depends upon our victory. We must share our responsibility. "What country can preserve its liberties," asks Jefferson, "if the rulers are not warned from time to time that their people preserve the spirit of resistance."[39] We must not concede liberty. Our responsibility implies Weber's Ethic: "The man who faces 'the fate of the times' is one who possesses the trained relentlessness in viewing the realities of life, and the ability to face such realities and to measure up to them inwardly."[40] He who is not a witness of history denies self.

To have arrived on this earth . . . only to depart through human arrogance, would be the ultimate irony.

—Richard E. Leakey

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[39] Letter from Thomas Jefferson to General William Smith (1787).
[40] H. GERTH & C. MILLS, *supra* note 8.