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HUMAN RIGHTS

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## HUMAN RIGHTS

The existence and validity of human rights are not written in the stars. The ideals concerning the conduct of men toward each other and the desirable structure of the community have been conceived and taught by enlightened individuals in the course of history. These ideals and convictions which resulted from historical experience, from the craving for beauty and harmony, have been rapidly accepted in theory by man - and at all times, have been trampled upon by the same people under the pressure of social stress or animal instincts. A large part of history is therefore replete with the struggle for those human rights, an eternal struggle in which a final victory can never be won. But to tire in that struggle would mean the ruin of society.

In talking about human rights today, we are referring primarily to the following demands:

1. protection of the individual against arbitrary infringement by other individuals or by the government;
2. the right to work and to adequate earnings from work;
3. freedom of discussion and teaching;
4. adequate participation of the individual in the formation of government.

There is, however, one other human right which is infrequently mentioned, but which seems destined to become very important; this is the right or the duty of the individual to abstain from cooperating in activities which he considers wrong or pernicious.

There are two ways of approaching the vexed issue of human rights. One is at the level of ideals and ideas. The other is at the level of social processes. I will be bold enough to attempt both today (tonight). Ideals and ideas is a joint consideration.

A man's value to the community depends primarily on how far his feelings, thoughts and actions are directed toward promoting the good of his fellows.

When we survey our lives and endeavours, we soon observe that almost the whole of our actions and desires are bound up with the existence of other human beings. We notice that our whole nature resembles that of the social animals. We eat food that others have produced, wear clothes that others have made, live in houses that others have built. The greater part of our knowledge and beliefs have been communicated to us by other people through the medium of a language which others have created. Without language our mental capacities would be poor indeed, comparable to those of the higher animals; we have to admit, therefore, that we owe our principal advantage over the beasts to the fact of living in human society. The individual, if left alone from birth, would remain primitive and beastlike in his thoughts and feelings to a degree that we can hardly conceive.

The individual is what he is and has the significance of his individuality because he is a member of the greater human community, which directs his material and spiritual existence from the cradle to the grave.

It can be easily seen that all valuable achievements - material, spiritual and moral, which we receive from society have been brought about in the course of countless generations by creative individuals. Someone once discovered the use of fire, someone cultivated edible plants and someone the steam engine.

Clearly the individual can think and thereby create new values of society, even set up new moral standards to which the life of community conforms. Without creative personalities to think and judge independently, the upward movement of society is unthinkable. The health of society thus depends as much on the independence of individuals composing it, as on their close social cohesion. It has rightly been said that the very basis of Greco - European - American culture, and in particular of its brilliant flowering in the Italian Renaissance, which put an end to the stagnation of medieval Europe, has been the liberation and comparative isolation of the individual. Looking at today the population of the civilised countries is extremely dense as compared to former times; Europe today contains 5 times the population it did a hundred years ago - but the number of personalities has decreased out of all proportion. In spite of television

only a few are known to the masses of individuals through their creative achievements and those are mainly entertainers. Organisation and bureaucracy has to some extent taken the place of leading personalities. The lack of outstanding personalities in art is particularly striking. Painting and music have definitely degenerated and largely lost their popular appeal. In politics not only are leaders lacking, but the independence of spirit and the sense of justice of the citizen have to a great extent declined. The democratic, parliamentary regime, which is based on such independence has in many places been shaken; dictatorships have sprung up and are tolerated because man's sense of dignity and the rights of the individual is no longer strong enough. In two weeks the sheeplike masses of any country can be worked up by the newspapers and the television into a state of excited fury that men are prepared to put on uniforms and kill and be killed for the sake of the sordid ends of a few interested parties. Compulsory military service seems to me the most disgraceful symptom of that deficiency in personal dignity from which civilised mankind is suffering today. No wonder there is no lack of prophets who prophesy that the early eclipse of our civilisation. I am not one of these pessimists. I believe that better times are coming. Let me briefly state my reasons for such confidence.

In my opinion, the present manifestations of decadence are explained by the fact that economic and technological developments have highly intensified the struggle for existence, greatly to the detriment of the free development of the individual. But the development of technology means that less and less work is needed from the individual for the satisfaction of community needs. A planned division of labour will emerge in educated countries and this division will lead to a material security for the individual.

The security and the spare time and energy which the individual will have at his disposal can be turned to the development of the personality. In this way the community will regain its health and its way and future historians will explain the morbid symptoms of present day society as the childhood ailments of an aspiring humanity due entirely to the excessive speed at which civilisation was advancing.

I turn now to looking at more practical, or more immediately political issues concerning democracy and human rights. In so doing I will also look more closely at our own situation in South and Southern Africa.

I have noted the sombre reality that human rights are the outcome of constant struggle. This is a struggle between conflicting ideas about the essence of man and womankind. The ideas are carried by personalities — individuals who rise up among their fellows to give direction, for good or ill.

It is, however, not only a struggle of ideas. Social and economic conditions in a society create the soil in which certain ideas can grow and flourish, whereas others will wither, at best to be preserved as dried and lifeless moral ornaments, expressed as empty lip service.

Germany of the nineteen thirties probably had as great a proportion of humanitarian idealists as any other country, who despite impassioned pleas and martyrdom could not prevent the slide into barbarism. The Soviet Union of today, and all of Eastern Europe, have thousands of eloquent protagonists of freedom who hide in the shadows of bureaucratic totalitarianism. Rather closer to our world, the British Empire at the very time when early western democracy was emerging, dealt with the Afrikaners, the Indians and the Zulus as if they were beings of infinitely lesser status than Englishmen.

I spoke about lip service. Today, throughout the third world there are dozens of governments that have emerged out of one of the most exciting events of modern history — the reclaiming of their political freedom by third world peoples after throwing off the yoke of colonial overlordship.

If only that urge for freedom had endured. It seems that all too many of these governments now parade as peoples' democracies of one sort or another without the mass of the people having the slightest control over government or participation in the process of designating their leadership. Here, as in many Eastern black countries the notion of human rights and democracy can often be far less than an empty moral ornament — it can be a verbal disguise for tyranny.

Yet we must not be too quick to cast blame. Human rights and democracy are delicate points and often social forces beyond the control of individual leaders prevent their growth.

What are the conditions under which human rights can flourish? Why are golden ideals, eloquently expressed not sufficient? One has to look firstly to conditions in the economy.

Economists and social scientists, including Weber, Parsons, de Schweinitz and many others have argued that autonomous economic growth under conditions of a free-enterprise has been one essential condition for the emergence of democracy in the West. It was the tough, profit-oriented trader entrepreneurs and later the manufacturers in Britain, Holland, France and elsewhere who found themselves constrained by the inefficiency, the corruption and the selfish presumptions of the aristocratic classes. Using their wealth and their utter respectability as hard-working Christians, they broke through the privileges of birth and family connection. They created an upper-middle class which marked the first real extension of "social honour" outside the ranks of the aristocratic and religious elites of Europe.

Along with trade and industrialisation came movements of population to new centres of work. The new workers were no longer bound to the aristocracy in simple agricultural pursuits. The disruption of this change produced new frustrations and new wants, and popular pressure for reform took on serious proportions.

Yet no society can extend democratic freedoms and human rights if the wants and needs of the mass of the people swallow up the resources for further growth. Hence a struggle between freedom and constraint cannot be avoided until the economy is producing sufficient goods and services efficiently enough to allow for mass distribution as well as continuing investment in further growth.

If the economy prospers in this way the most common form of free democracy in the modern world can emerge — the mass consumption society. This

is the situation in which almost everyone has risen above subsistence and the struggle for survival. Large majorities in the population have more to lose than to gain by drastic changes in the social order of things. A basic consensus is established, therefore, in which people, while they may belong to different classes, ethnic groups, have different interests and may not even like each other, nevertheless consider that the basic system of government and society is good enough to be protected.

With such basic consensus about the rules of the political game, freedom, human rights and full democratic rights can readily be extended. No substantial group or class is likely to drive their cause to the point of overturning the social order. Oppositions may be tough and critical, but they are fundamentally loyal to the state.

From this perspective, then, human rights are a luxury earned by societies with enough wealth to satisfy more or less everyone. This leads us to an agonising question in a world in which a majority of societies are either poor with little prospect of rapid development, or else have types of economies in which all or most investment and production is controlled by the state. These societies lack one of the initial thrusts for freedom which I have referred to — a strong, independent middle class capable of challenging the vested interests of the ruling elites. The poor societies also lack the mass concentrations of workers who can use the leverage of their labour to break new social and political ground. Does this mean that freedom is unattainable for most of the less-developed world?

An economist called Karl de Schweinitz has addressed these questions in depth in a treatise called Industrialisation and Democracy. This book has many lessons for South Africa. The theme of economic growth, democracy and human rights has been most extensively dealt with for South Africa by that most perceptive thinker Michael O Dowd. I have no doubt that the recognition of human rights in South Africa will be facilitated by rising levels of economic welfare. I do not believe that there is any automatic connection. As the analysis



particularly of de Schweinitz would suggest, economic growth facilitates a democratic balance in capitalist society by the increase in the size and significance of the non-government aligned middle class and perhaps more especially by the opportunities that expanded production offers the black working class to become more organised and more influential. It is a necessary but perhaps not a sufficient condition for freedom.

I do not, then, defend economic growth because I believe in the virtues of capitalists. Capitalists have no more virtue than any other interest group. Capitalists are profit and performance oriented. Some are greedy, but some, hopefully more and more, are also interested in efficiency and the quality of what they produce for the country.

I also do not claim that capitalists will not be eager to support a government which tries to work for stability in the society because order obviously facilitates economic growth. Capitalists will also be tempted to support a government which curbs potentially unbridled power in, say, a union movement which could undermine industrial order. Capitalists are an interest group with very clear cut perceptions of what is good for them and what is not. They will act to further their interests. They are not in business to be altruists.

I defend the role of capitalism in the democratic process more because of what capitalists are not interested in. Firstly, capitalists are not interested in regimenting, classifying and administering people for its own sake, as some bureaucrats are. They do not seek power or control over people for its own sake.

Secondly, capitalists as a collectivity do not like tight government control and intervention in the affairs of private citizens. Capitalists as a collectivity in fact have a wide diversity of interests. The interests of mining houses, farmers, factory owners, retailers, wholesalers, and service industrialists will differ widely among themselves. Furthermore, motor car producers do not have the same interests as brickmakers or textile manufacturers. No government intervention can satisfy the interests of all capitalists at once so they would generally prefer the government to stay out. Certainly attempts are always being

made by some business group or another to get the state to fix prices or impose barriers to competition, but this is part of the game when government shows a willingness to interfere.

Thirdly, their interests in profits and production makes capitalists pragmatic. They do not like heavy ideological investments in policy. A policy is only as good as its effects. Therefore capitalists will reject a policy if it looks as if its utility has run out or if it seems to be likely to produce dangerous counter-effects.

Add this all together and you have capitalism as a collectivity emerging as a very varied and diverse set of influences in our society. Capitalism does not want long-term ideologically inspired or culturally-determined policies that create dangerous frustrations in our society. It also does not like, or no longer likes the idea of control over the movement of peoples. It does not want restrictions on people. It would like black people to live where they want, work where they want, buy what they want because it knows that internally generated growth from now on will depend largely on a prosperous black buying public who are sufficiently secure to spend and to improve the quality of their lives.

In other words, capitalists are not angels or heroes, but in general they want the society more open, more flexible, happier and prosperous. They do not want the state to control everything, for good or ill.

It is this posture of private enterprise that constitutes its real value in the composition of democracy and human rights. Private enterprise countervails state power. It does open up the system. de Schweinitz, writing about the difficulties of achieving democracy in centrally planned, socialist or state-capitalist countries asks: "Can one expect a state which has taken society in hand to devolve voluntarily some of its collective powers upon society in democratic reforms? The answer of history to this question is not very reassuring.....One can only hope that Lord Acton's famous aphorism about the corrupting influence of power does not apply universally. To paraphrase Winston Churchill, never before has the history of democracy

(in the third world) depended so much on the actions of so few."

I have argued, then, that capitalism and the free enterprise system in our society, despite all its many imperfections, ultimately has an influence favouring the growth of democracy and human rights. This is not enough, however. As I have already said, a growing free-enterprise economy is a necessary but not a sufficient condition.

We also need the voices of people raised up in calls for an extension of the rights and the freedoms of the common man. We need popular movements and oppositions, of all hues and colours.

One such popular movement is the black trade union movement. As an industrialist I will not deliberately try to make life easy for the trade union movement. I will oppose them as they oppose me. That after all is what industrial bargaining is all about. But, I must emphasise that I value the existence of an effective black trade union movement. I will defend their right to exist and to be protected from state interference just as hard as I will bargain with and oppose them in an industrial context. This is what I believe the democratic attitude to be. It is not simpering altruism or unrealistic idealism. It is an appreciation of the tremendous benefits of a complexity of competing, bargaining and negotiating forces in a society.

What I regret is that we do not have enough movements similar in structure to trade unions operating in other spheres of our society. Trade unions have some specific characteristics. Their demands are usually specific, they are concerned about benefits and they are organisations of workers for workers. Part of the success of black unions in South Africa is that they have avoided large, impractical or non-negotiable demands and ventures.

When one looks at the community scene, however, one often looks in vain for a similar type of organisation in the community sphere.

All too often community-based movements are led or taken over by people who start formulating very large demands, or who are driven by hopes and aspirations beyond the practicalities of the situation.

No one with any sense of justice can help but sympathise with the aspirations and frustrations of the black intelligentsia and black students. The almost total affront to their dignity which the present system holds is as humiliating and perhaps even more painful than poverty and direct oppression. It is an anguish which those who blandly talk about gradualism, or peaceful reform are often insensitive to.

On the other hand, however, we have a state which is strong and determined and very, very far from giving way to radical demands. The South African state takes ultimatums from no one, neither industrialists like myself and others, foreign governments or any pressure groups. This is a simple reality of the realpolitik of the present situation.

All too often, the tone and manner of black community politics seems to assume a weak and uncertain state. The rhetoric is hot and the demands, whether implied or direct, are so far ahead of the present state of affairs that they are rejected in contempt by the authorities. Slogans of freedom and liberation, no matter how sincerely felt and authentic to an observer like myself, are non-negotiable demands to the state.

The state eventually responded to the long, determined campaign by the black trade union movement for a recognition of worker rights and benefits. This was because it ultimately realised that what was at stake was not a threat to the established order. It decided it could live with a step towards industrial democracy and the 1979 reforms were the result.

If black community groups could adopt the same basic strategy with regard to community benefits and facilities, and rally the ordinary

rank-and-file people around them, the same successes will eventually result. The government will have to recognise the legitimacy of protests about transport facilities, housing availability, community facilities and the like.

In this way community groups will eventually become established as negotiating components in the South African political system. This is a first step towards the democracy that most black people want and surprising numbers of white people are prepared to live with.

I am addressing these remarks to students. Perhaps they are too anguished and impatient to hear me. Nevertheless, it is important that it be said. There are community organisations full of frustrated, moderate people out there that need wise and educated leadership. There is a role in a constructive strategy for change. That is where student energies will have their greatest effect.

Calls for confrontation and dreams of a violent revolution for liberation arise easily in our troubled situation but they will have no enduring effect for a long, long time. In history the only revolutions that have been successful without any exception that I know of, have been against governments that have been weakened by war (as in the Russian revolution) by corruption and decadence (as in the French revolution) by economic starvation (as in the Zimbabwean liberation) or by mass defections of soldiers and police to the liberation struggle (as in the Iranian revolution, among other things). None of these apply to South Africa or are likely to apply for a long time.

In the light of this, is not the animosity between the UDF and Inkatha premature and senseless? Is not the spilling of children's blood in politically-inspired school confrontations a tragic waste of talent? I see the passion but where is the strategy. The future of human rights, democracy and the true freedom of black people in South Africa requires thought, judgement and hard work. Look to the trade unions as a model, not to fanciful notions that "the Boers are scared" or that

somehow black youth can take on the organised and efficient might of the South African security machine.

Above all, and more important than all the other factors I have mentioned, the struggle for human rights requires hard work, patience, judgement and organisation. Nothing less than that will impress itself on the forces of history.



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