

THE STRUGGLE OF AFRICAN AMERICANS ON HUMAN RIGHTS COMMISSION AS A FORM OF SOCIAL CHANGE AND IDENTITY POLITICS

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ABSTRACT

When it comes to human rights, we must be careful to distinguish the inherent natural rights that government is responsible for securing from manufactured rights that some claim government is obligated to provide. Many people in this world believe that the United States of America is an exceptional nation for its dedication to the principles of human liberty, grounded on the truths expressed in the Declaration of Independence that we all have the right to life, liberty, and the pursuit of happiness. Together with American Constitution, the documents provided the basis for Americans social order and jurisprudence. With those documents to guide Americans' struggles to overcome slavery and discrimination by race, religion, sex, or birth. However, the racism, racial discrimination, xenophobia, and some others intolerance that confront nations around the world continue to blight the human condition and remain an obstacle in African Americans' struggle for justice, equal opportunity, and meaningful human development. This inequality of African Americans can be supported by Human Rights Watch which has ranked police mistreatment of Blacks in America among human rights crises occurring across the globe. U.S. police was criticized by Human Rights Watch's experts and it became another international body bringing the plight of Blacks in America onto the international stage. With American Studies as a background study of this research, this paper tries to place violence against African Americans in the U.S. in global, legal, and historical context.

Keywords: African Americans, Human Rights, Declaration of Independence, racism

Introduction

The definition of the word value can be referred to man's conceptions or ideas with regard to feelings of 'worth' or 'desirability'. Value therefore make up men's judgments of moral-immoral, good-bad, right-wrong and so forth with regard to the world around us (Hebling & Glich, 1976). Through values we may find the way of living and acting for the society, as it was mentioned by Ralph H. Gabriel in his *American Values: Continuity and Change*:

"In essence, values are beliefs—beliefs that the idealized ways of living and acting are the best ways for the society. Because values are beliefs, they serve to inspire the members of the society to act in the approved ways. Because values are ideal pictures, they provide a means of judging the quality of actual behavior. In this role they become standard" (Gabriel, 1974).

Hebling and Glich also said that values serve as a base or foundation for societal unity and cohesion (1976: 91). As in the United States of America, its society believes in the traditional *American Values* namely individualism, democracy, liberty and equality, and optimism. From Gabriel, it was said that the function of values is seen as ideal images of what behavior in thought and actions of all members of a society should be (1974: 149). Thus, American society is expected to honor its individualism, democracy, liberty, and equality. Those values create an ideal image of America which later is named as *American Dream*.

The American Dream has been continually reinvented over time so that for each generation of Americans it has held different meanings (Cullen, 2003). This is caused by the changing society for over the past centuries. Many historical events have happened and influenced the suitability of American values towards the real events and real individuals who live in the US. In other words, American Dream has been shaping and explaining the American social system or at least the "way we understand how American society operates" (Johnson, 2006).

From the understanding that American social system is occupied by American Dream which declare its values and ideals towards its society, it can be related to Clyde Kluckhohn observation which said that though there were shadings through time, the central and distinctive aspects of the American value system were remarkably stable from the eighteenth century until the (nineteen) thirties and, in spite of some changes that have occurred and are in process, the characteristic American values remain highly influential in the life of the United States (Huntington, 1981).

However, those American values are not shared with the minority groups who have been living under racial intimidation to pursue their human rights. African Americans community is one of those minority groups living through perpetuating events to survive in America even since country was yet clear to be named as a nation.

As one of the minority groups, African Americans are most likely to be skeptical, even hostile, toward American Dream that has been portrayed and promoted by the majority. American Dream becomes a kind of lingua franca, an idiom that everyone from corporate executives to hip-hop artists, can presumably understand (Gordon, 2003). Jennifer Hochschild added about black Americans that according to the data she compiles, it suggests that working class black Americans, for example, believe in it with an intensity that baffles and even appalls more affluent African Americans, who see the dream as an opiate that lulls people into ignoring the structural barriers that prevent collective as well as personal advancement (Hochschild, 1996).

Hochschild's book entitled *Facing Up to the American Dream*, was also reviewed by Gordon as he said that the book grows out of belief that any attempt the possibilities and limits of the American Dream requires a more thorough reckoning than we customarily give it. Such a reckoning begins with a recognition that the Dream is neither a reassuring verity nor an empty bromide but rather a complex idea with manifold implications that can cut different ways.

The Strength and Importance of Human Rights in the United States of America

Human rights has explained the nature of human itself which defines the rights of human being simply because he is a human. Human rights in the United States comprise a series of rights which are legally protected by the Constitution of the United States, including the amendments (Lauren, 2008) state constitutions, conferred by treaty and customary international law, and enacted legislatively through Congress, state legislatures, and state referenda and citizen's initiatives. Federal courts in the United States have jurisdiction over international human rights laws as a federal question, arising under international law, which is part of the law of the United States (Schneebaum, 1998). The importance of human rights can be seen and tracked from American history with its very beginning through the language of the Declaration of Independence and the Bill of Rights, American have seriously argued and sometimes violently contested over human rights (Lauren, 2008). This is where the discussion of African Americans matters most, they were considered once as less human during slavery era and whatever rights exist was held only to white Americans. Then the reality strikes again after few centuries have passed, African Americans are still having difficulties in pursuing their happiness simply because of their color.

Every human being has rights and no one should be denied their human rights without fair legal decision. Only in certain limited circumstances a person can be deprived of their human rights (Lombok, 2017). Lesza Leonardo Lombok mentioned further that human rights defines a clear statement that humans should not be treated less human and unequal based on their differences such as race, gender and religion because the judgement become irrelevant politically and legally, regardless of whether the person concerned to meet obligations to the community.

African American community fought for their rights to align their struggle with that of other oppressed groups and colonized nations around the world. This event occurred while the Human Rights Commission worked on drafting the Declaration, some African Americans who led of struggle for civil rights in America believed that bringing the case of segregation in America before the United Nations would help draw international attention to their plight (Facing History and Ourselves Contributors, 2016).

The social change was inspired by human rights idea that support any community to meet their needs and pursue their existence side by side with the majority. This is where identity seems to be on hold in the name of power, as in having the body politic as the model to control others. American values has gradually being questioned because their practices are limited to certain groups of people.

Kim R. Holmes elaborated that when Americans think about human rights, they must be careful to distinguish the inherent natural rights that government is responsible for securing from manufactured rights that some claim government is obligated to provide (Holmes, 2011). As the Declaration of Independence proclaims, we all have the right to life, liberty, and the pursuit of happiness. Thus, Holmes made an open statement that the Declaration's wisdom should inform our answer to the question "How Should Americans Think about Human Rights?"

From "Civil Rights" to "Human Rights" for African Americans as a Major Development of International Law

Just liked it was mentioned before that African American leaders had fought for their plight to draw international attention, the United Nations was asked to change the terminology from "civil rights" to "human rights." They hoped that the shift would bring pressure on the United States to live up to the ideals and freedoms inscribed in the American Constitution (Facing History and Ourselves Contributors, Civil Rights as Human Rights, 2016).

The demand on changing the terminology was stimulated by some civil rights activists who faced increased violence despite the passage of the Civil Rights Act in 1964. Not only that Black youth were a major force in the uprisings but also inspired the term of Black power which was articulated by spokespersons such as Malcolm X as an assertion of black pride and a reaction against the entire system of racism; blacks denounced white culture, institutions, behavior, and liberal racists.

Black activists and many young African Americans viewed their Civil Rights Movements to pursue their freedom and rights. However, the term of pursuing "civil rights" seems to be not enough yet for them to gain. In reality, they need an approval and supports from international commission as a delegation. One of the strategy was employed by W.E.B. Du Bois who served as the director of research at the NAACP, gathered a team of lawyers and scholars, and the group drew up a brief explaining the status of blacks in America. Black leaders wanted the United Nations Organization to establish international standards of human rights that would require the United States to ameliorate the social ills caused by centuries of racism. According to *Facing History and Ourselves: Universal Declaration of Independence*, the comprehensive document "An Appeal to the World: A Statement of Denial of Human Rights to Minorities in the Case of Citizens of Negro Descent in the United States of America and an Appeal to the United Nations for Redress" was submitted to the human rights division of the United Nations in 1947.

The idea that American values and practices should be exported and thereby serve as the model for others in the world always has been a highly popular theme to invoke among the body politics (Lauren, 2008). However, the US despite its history with the core of human rights, had fallen on deaf ears because of the politics of the Cold War.

In the postwar period American leaders were much more interested in using the UN Commission on Human Rights to attack the Soviet Union than they were in human betterment. Further, the Truman and Eisenhower administrations would not support international standards of human rights that would bring U.S. racial practices under international scrutiny (Aldridge, 2004).

Human Rights Commission and African Americans' Struggle

Although there were many African Americans' organizations defending their rights through Civil Rights Movement, their fight would probably be enough yet if there was no help from the international attention and recognition. This was where Human Rights Commission took place and Anna Eleanor Roosevelt was the one who worked on the drafting the Declaration, the root of all equal rights in America.

Anna Eleanor Roosevelt, the longest-serving First Lady of the United States, was well-known for her critic on racial discrimination in the US and referred this issue to in the United Nations to a Human Rights Commission subcommittee. Eleanor worked on the document of *Declaration of Independence* which later has led to other binding human rights agreements, notably the International Convention on Elimination of Racial Discrimination in 1965, the Covenant on Civil and Political Rights in 1966, the International Convention on Elimination of Discrimination against Women in 1979, the International Convention Against Torture in 1984, and the International Convention on Rights of the Child in 1989.

Not only Eleanor and her support in human rights commissions that got the international attention, but also numerous citizens' organizations gave sprang up to support human rights. From African Americans' scholars with their National Negro Congress (NNC), the National Association for the Advancement of Colored People (NAACP), and the Civil Rights Congress (CRC) to Amnesty International and Human Rights Watch.

The importance of human rights commissions at getting the international attention was meant to be shown through foreign policy which was expected to concern and then led the federal government to utilize public relations exercises to challenge claims about American racism. The Human Rights Commission subcommittee which Eleanor referred the issue of racial discrimination to was the United Nations. After the Cold War, the Soviets might condemn America to the world and Eleanor brought America's racial policies to compromise the war in the international arena.

In other words, it seemed like America owed something to the world, to the United Nations. As it was said that:

"Especially is this true since the United Nations has made its headquarters in New York. The United States is honor bound not only to protect its own people and its own interests, but to guard and respect the various peoples of the world who are its guests and allies. Because of caste custom and legislation along the color line, the United States is today in danger of encroaching upon the rights and privileges of its fellow nations. Most people of the world are more or less colored in skin; their presence at the meetings of the United Nations as participants, and as visitors, renders them always liable to insult and to discrimination; because they may be mistaken for Americans of Negro descent" (Facing History and Ourselves Contributors, 2016).

Therefore, it was said above, the significance of international awareness to recognize nation's gross violence was a great influence to let the United States not only to protect its own people and its own interests, "but to guard and respect the various peoples of the world who are its guests and allies."

Social Change and Identity Politics

When we come to American social system, we may find many unfortunate events for minority groups which cause some conflicts. The idea of having conflicts mostly is seen and addressed to the working class and its interests. In other words, a class struggle. This conception is brought by Lewis A. Coser as he said that class struggle is a conflict within and between groups in a society can prevent accommodations and habitual relations from progressively impoverishing creativity (Coser, 1957).

Conflict is the tool in American society to ask for a social change. The disagreements and oppressions lead the minority groups to value themselves better than they used to be valued at. American values and interests clash their needs and identity. As if their identity does not represent American dreams at all, the dream has been deferring to them.

African Americans demand their share of power, wealth and status in the US through many layers of possibilities and events, but none of them has been completely resulted as equal citizens compared to white Americans. Then the Cold War made them realize that America had a vital issue on being a racist nation. Civil rights opponents, including the FBI, redbaited, investigated, and harassed civil rights organizations, destroying the CRC and encouraging the NAACP to adopt a strict anti-Communist policy. As Mary L. Dudziak explains: "The narrow boundaries of Cold War-era civil rights politics kept discussions of broad-based social change, or a linking of race and class, off the agenda" (Dudziak, 2000).

Carol Anderson in her *EYES OFF THE PRIZE: The United Nations and the African American Struggle for Human Rights*, mentioned that the postwar period has its significance for African Americans is a tale of intransigence and opportunism, sacrifice and ambition, violence and public relations, principled diplomacy and politics-as-usual. She points us to one more legacy of the Cold War, how a truly international movement for human rights, powerfully enabled by the participation of black Americans, was stifled just when it seemed so possible. Even as the minions of National Socialism were taking their "racial theories" to the bunkers and the gallows, a new order - a United Nations - was being founded on the tenuous alliance of the victors, none of whom had shed their imperialist, expansionist aspirations (Hathcock, 2005).

Dexter B. Gordon defined black identity politics as another black power to pursue a social change and this requires an understanding about how blacks constructed their ideology of nationalism in the US and how his discourse functioned ideologically to advance the black cause. In other words, Gordon said that black identity politics is as a means of mobilizing black collective social activism (Gordon, 2003). Moreover, Gordon concluded that black identity also allows a rhetorical focus to explore the contingent nature of the various efforts to construct, reconstruct, and contend for black identity as a rhetorical approach also facilitates the focus on the creative and pragmatic undertakings of activists employing language as a major tool in their effort to create and control social reality and thus exercise power.

The United Nations was able to be reached with a rhetorical approach by Human Rights Commission to represent the African Americans' voice and offered a solution to social reality problems and proper power shared in the US.

Conclusion

Surviving for so many years from one event to another in America, African Americans have been struggling for equality and their existence at the international arena is finally being questioned by scholars in the 1960s. Racial violence, segregation, inequality and dehumanization issues keep coming even though there is the *Declaration of Independence* has been proclaimed since 1776. Thus, after over all the past two hundred years, the US constitution "all men are created equal" clearly does not describe and reflect the life of African Americans at all.

African American leaders of the middle to late 1940s believed that the struggle for black equality required more than "civil rights," or the removal of the formal legal and political restrictions that characterized the Jim Crow era. The politics of the Cold War explain why black demands for human rights fell on deaf ears. While human rights were being stigmatized as leftist, socialist, and communist in the ongoing Cold War dynamic of superpower competition, White, Wilkins, and Du Bois took turns battling each other to determine the direction of the most powerful black advocacy group in the country, and their differences at various times weakened the NAACP's efforts.

Du Bois saw the necessity of an international front to establish human rights and battle the racial oppression in America, while Wilkins and White, committed anti-communists, at other times turned the NAACP into a vehicle of apology for the status quo. The extent to which political conviction, personal pique, and ego detracted from the vital unity is dismaying. With a support by Eleanor Roosevelt, the Human Rights Commission to which it is part of the United Nations, finally saw the gross violence towards African Americans as an international issue.

The engagement of Human Rights Commission with African Americans struggle has led them to be recognized and supported in the international Human Rights system which was expected to solve all the racism that they have been experienced. Even though nowadays African Americans may get supports from the international attention, but the US is still not completely committed to the international human rights system. This fact can be seen from the American government's act which has not yet ratified important human rights-related treaties and opposes some forms of international cooperation on human rights such as the International Criminal Court.

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