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## **Population policy, ecology and the UN Declaration of Human Rights**

### *A Declaration made Immune*

The Universal Declaration of Human Rights was approved as Resolution 217 by the UN General Assembly in New York on 10 December 1948. The Declaration claimed universality, a timeless validity across cultural borders. A moral status on such premises could assume immunity against critique from relativistic positions.

Historically speaking, however, it is easy to trace the impact of a quite relative political way of thinking before the Declaration come into existence. 1948 was a year for both hope and fear in the Western World, particularly in the United States. The memories of Hitler's and Hirohito's atrocities were still fresh. Stalin was building up his empire in Eastern Europe. In the Far East the first contour could be seen of a new totalitarian regime under the rule of Mao Tse Tung. Civil wars were going on in Greece and Palestine, heartland of Western Civilization. Much of Europe was still in ruins, poverty could be seen everywhere.

On the other hand, the democracies had shown that they could cooperate and that they in joint effort could win, even over military armies from the most efficient autocratic regimes. The United States was at a peak in her own self esteem, as well as in the admiration from other nations. The Marshall Aid programs were effective. Plans for a North Atlantic Treaty Organization were being discussed. There was all reason to believe that Europe would soon rise again, this time to embrace democracy, peace and prosperity. In the decades to come, one could hope that countries in other part of the world would follow the same path.

It is not at all surprising that in this situation the leading nations in the world organization saw the need for a supranational statement about human rights, focusing on moral limits for the rulers over the ruled. The reason for proceeding with the UDHR was not only humanitarian, in the sense that individual residents in different countries should have some sort of minimum supranational protection, in addition to those rights which might be given to them by their governments. The Declaration was also meant to represent a democratic counterpart to

totalitarianism and to become a guide for how new nations should understand modernization, and for which ideas would be met with international approval. Since the United States was the indisputable leading nation in this effort, it was only natural that the American Declaration of Independence from 1776, combined with the Bill of Rights from 1791 and the French Declaration of the Rights of Man and the Citizen from 1789, became a paradigm for the new Declaration.

In the Preamble of the UDHR we read: "Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of common people.

On the one hand we had hope - the foundation of freedom, justice and peace in the world, a world where human beings shall enjoy freedom from fear and want; on the other hand we had the possibilities for barbarous acts and an outrage of conscience of mankind. Confronted with these two alternatives it would be difficult not to make the right choice on a moral basis. Most people would not even dare to question the morality of a Declaration with these goals, and with these alternatives. - Doubts about the status of Declaration could, however, come into being when it is regarded in the light of an intellectual analysis.

This background demonstrate the historical relativity of the conditions providing the framework in which the Declaration was conceived. We cannot, however, disprove the validity of the proclaimed universality of the Declaration solely by showing when and where it was written. All universal ideas have to be formulated for the first time some where and some time. And some of the Articles in the UDHR may even be defended with universally valid rational arguments. Article 5, for instance, which states that no one shall be subjected to torture or cruel, inhuman or degrading treatment or punishment, could theoretically be defended by a universally valid logic, by reference to the rules for rational consistency. If someone wants to legitimize a treatment of other persons as merely non-communicative objects, the validity of their arguments runs into contradictions (Apel).

But a proclaimed universal status of ideas has to be revised when these ideas can be shown to contradict valid and reliable knowledge. For instance, if it can be shown that some of the articles in the Declarations have implications which run counter to a responsible ecological adjustment, the articles can hardly claim the status of a universal moral basis.

More concretely, we could ask whether Article 3, which reads Everyone has the right to life, liberty and the security of person, is the best moral guide for a procreation policy and a guarantee for a peaceful development in a world threatened by over-population. We could also ask if Article 25 seems to be the best guarantee for an ecological adjustment in a world threatened by over-consumption of scarce resources. This article reads: Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

If the UDHR does not have the flexibility to correct itself according to changing challenges and dominant cultures, the whole Declaration runs the risk of becoming an obsolete obstacle to contemporary attempts by human beings to create conditions for a survival in relative peace.

The UDHR itself does not invite for an intellectual discussions of the limits of its own validity. Quite to the contrary, the text in the Preamble to the Declaration claims full support, and thereby make intellectual questioning rather suspect. Instead of evaluating the probabilities for achieving the prescribed ends by help of the proclaimed means, the preamble simply asks for "a common understanding of these rights and freedoms" which is "of the greatest importance for the full realization of this pledge".

As a whole the Preamble is written in the language of a creed. A humanistic creed of this kind could well have its legitimate social functions, but it could also make the proclaimed rights immune to critique and curb a rational reorientation in the face of new challenges. Political statements keeping fundamental critical analysis and revisions at arm's length, can over time lead to dysfunctional effects. If the necessity for an argumentative contact with contemporary intellectual culture is not taken seriously, the whole Declaration might gradually lose creditability. If the Articles in the Declaration are not revised as the challenges to our common future change, the defenders of the Declaration can one day meet an active opposition, even among educated and democratic spokesmen.

### *Human Rights versus Ecology*

The contemporary ecological challenge is of paramount importance when we are to consider the historical relativity of a declaration written in a period when the limits to natural resources were not regarded as a major problem. The subject of ecology represents more than a systematization of processes in nature and a teaching about how natural resources are transformed and renewed: it also represents a teaching about how mankind, especially in a modern technological age, can destroy these processes through our relations to nature. This means that studies of ecological systems can tell something about the limits of human rights, if we are to live in sustainable systems of cooperation between man and nature.

For these reasons, an unlimited anthropocentric ethic will not be able to take sufficient heed of human adjustment on this planet (Ehrenfeld). Political ideologies and philosophical doctrines which have overlooked this fact run the risk of becoming historically obsolete. In short, the idea of substantial human rights, as presented in the UN Declaration of Human Rights of 1948, runs counter to our contemporary knowledge of scarcity of organic matters. It even runs counter to the content of an approved report from 1987 on sustainable development (Brundtland).

In the report State of the World 1994, published by the World Watch Institute in London, it is, by reference to Peter M. Vitousek, stated that prior to human impact the earth's forests, grasslands, and other terrestrial ecosystems, had the potential to produce a net total of some 150 billion tons of organic matters per year. Of these resources humans have destroyed outright about 12 percent of the terrestrial net primary productivity and now use or coopt an additional 27 percent. Thus, one species - Homo Sapiens - has appropriated nearly 40 percent of the terrestrial food supply, leaving only 60 percent for the millions of other land-based

plants and animals. The 40 percent we have appropriated are the easiest to acquire. It may be impossible to double our share, yet theoretically that would happen in just sixty years if our share rose in tandem with population growth (Postel p.8). Even if some of these figures can be disputed, it is still a fact that nature's resources are limited, and that we are approaching those limits.

If people in one part of the world are a threat for the environment because of too high per capita consumption of non-renewable resources, the prime threat in other parts of the world is the growing number of people. Some estimates about population growth on a global scale should here be mentioned: The first time in history when the number of human beings reached a billion individuals, was around the year 1800. The second billion was reached around 1930, the third in the 1950s, the fourth in the mid-1970s, the fifth at the end of the 1980s. Another billion is expected to be passed by the end of this century, and two more billions by the 2020s. According to the worst scenarios the continent of Africa may experience a population increase from about 160 million in the 1920s to more than 1400 million in the 2020s. Even if population development might change direction from the second quarter of the next century, it is in a global perspective not expected to decrease. A special problem in this connection is that the population increase is likely to occur almost exclusively in the so-called developing regions and in the countries weighed down with heavy debts and with small resources for an active population policy. Unrestricted rights for the present generation of the human species may represent a destruction of living conditions for the generations to come (Chiras).

According to one expert we would need five planets like our own if every human being should live according to high Western standards of consumption: that is if nature should provide us with all the raw material we needed for such a consumption and in addition absorb our waste, without disturbing sustainable ecological systems (Fugelli).

The ecological challenge from regions with too high per capita consumption and regions with too many "capita" is sometimes seen as the challenge from the North and the challenge from the South. And indeed, there can be heated political confrontations between spokesmen for the various regions as to who represents the greatest ecological threat, in a short-term and in a long-time perspective. (At an international seminar, arranged by the Center for Development and Environment at the University of Oslo in December 1991, some demographers from London School of Economics mentioned an estimate of 60 percent to 40 percent for the two kinds of ecological threats, at the same time as they said that such estimates were extremely difficult to make and that the conditions for their validity could change rapidly.)

### *The Demographic Trap*

To solve the population problem considerable hope has been staked on the so called "law of demographic transition": an expectation of fertility changes based mainly upon European experience, indicating that the number of births, after a period of transition, will fall to parallel the number of deaths in a population. If this could be guaranteed, one could recommend a humanistic solution, in the spirit of the UDHR, to the whole challenge of population growth. Increased economic and medical help to enable more young and old people to survive in the developing countries would then automatically lead to a corresponding fall of fertility. However, this "law" does not function independently of

specific economical and cultural traditions; even if one can find a general statistical tendency toward a voluntary decrease in birth rates when the expectations of long life increase. There is no evidence for supposing that the falling birth rates in Europe during the last generations is caused solely by medical measures in earlier generations for increasing life expectations. No single factor can cause this kind of fall. The changing conditions for fertility in Europe during two centuries include a variety of factors.

Various moral reasons can be given for keeping the balance between birth and death rates both at a high, at a medium or at a low level. Not all latent functions of traditional societies, based upon suffering and selection as conditions for human development, have found functional alternatives in societies based upon humanistic demographic engineering. Technical attitudes to contraceptive practice, in a combination with liberal ideologies, have led to various attitudes that are not in accordance with the maintenance of the matrimonial institution and the reproductive functions of the family. - In the EU countries today the reproductive rate is as low as 1,5 children per woman on average, which means that the number of children in central European countries only reproduce 70 pct of a zero replacement level.

There are all reasons to listen to opponents to dominant cultural patterns in the Western World, not only on the field of consumption, but also in the field of reproduction, and from those who are concerned with morality and human dignity. The Catholic Church for instance, has in some publications, demonstrated a rather differentiated understanding of the complexity of components in the field of population growth (Sekretariat). Arguments on behalf of the sanctity of life can be given for preferring abstinence and safe periods before technical contraception, and contraception before abortion. There can be given solid arguments for the view that a legalization of abortions as well as euthanasia is not only a medical matter for humanitarian health, it also represents an institutionalized change of ideal concepts of human life. A change of so fundamental ideals will have cultural consequences.

But, not all objections are equally valid. In clerical as well as in humanistic circles, objections to a planned population policy are also made on behalf of a principle for free decisions for the parents, in the spirit of the UDHR. Even if freedom is an appreciated value, it is, however, from a sociological and a demographical position difficult to follow Western moralists on this issue. First, because it is difficult to see that procreation patterns are always determined by free and rational decisions on behalf of the parents, while a responsible public population policy should represent unfree coercion. Second, to the extent that parental preferences do represent free and rational choices, they usually make their choice within a family perspective for rational adjustment, seldom on behalf of a population perspective; and it is difficult to see why micro perspectives always should have priority to macro perspectives. And third, it is difficult indeed to see the moral superiority in an ethic claiming unlimited rights for one generation of one species at the potential cost for all other species in a nature with limited resources. To give human voluntarism a status above discussion may lead to conflicts which will be devastating to life on this earth. The real front on population issues is not between clericals and humanists, as sometimes claimed, but rather between those who are able to see that a responsible ecological ethic require limits to human legal liberty and those who want to cement popular voluntarism as an indisputable principle.

There are many reasons for people with different traditions to choose other solutions than those which have dominated certain Western societies in recent years. What cannot be defended in the long run, however, is a continuous imbalance between birth rates and death

rates. Humanly motivated developmental help, without a political following-up, which means intervening with death rates without a corresponding correction of factors influencing birth rates, will probably lead to more population growth in already overpopulated countries, with few possibilities for building up a social security net and a confidence in the small family's ability to survive. We might be caught in a "demographic trap" (King). Even the supposed cultural gains of a policy based upon human rights can be lost if this policy promotes densely populated areas with social stress, aggression and a devaluation of individual life as a consequence.

Common substantial interpretations of the articles, combined with the individualistic spirit of the UDHR, will counteract rather than promote a responsible adjustment to these problems. Under present circumstances it is China who is attempting to realize a responsible population policy by limiting the conditions for free choice of children (Meredith), a policy which so far has led to a reported average of 2,4 children per woman, maybe less (Freeney p. 393). In comparison, India cannot be said to convey a responsible population policy, even if that country conforms more closely to UN conventions. India is reported to have about 4 children per woman on average (Kennedy, ch. IX).

According to some ecologists our planet will not be able to sustain yet another doubling in the number of its most exacting inhabitants, homo sapiens. Nevertheless, the Danish demographer P.C. Mathiessen has in an interview stated that we could witness a doubling of the population in the Mediterranean area; in some North African countries the doubling time could be as short as twenty years. Liberal immigration policies in the North cannot solve, only postpone, the challenges we then will be facing; besides, such policies would also create a great many new problems.

In this situation we should have expected an ecologically centered debate on the challenges from a system of production and consumption which exceeds ecological limits in one part of the world, and a reproductive pattern beyond the limits of resources in another part. We might have expected concrete proposals to put an end to miserable debt burdens which prevent many developing countries from acting from a position of rational choice. We might have expected international organizations to formulate moral limits for maximum natural consumption of resources for different regions. It could then have been a matter of local decision to choose between having relatively many people and low consumption per capita in a region, or to base the policy of consumption on few people and a relatively high consumption standard for each individual. If so, it could become a global concern to implement sanctions and to deny support to governments which exceeded the natural limits of a sustainable consumption within their territories, calculated as number of people times consumption per individual. A debate over human rights which does not allow such arguments, and which runs counter to ecological considerations, will most certainly not go down in history as a debate over "universal rights".

Even if we could find political support for declaring more and more rights without limiting obligations for contemporary members of the human species, this will not represent a strategy for sustainable adjustments to the living conditions on earth. It will rather make the next generation's necessary measures even tougher. If we continue to wait for a "natural" solution to the challenges, Nature will most certainly not act in accordance with what political idealists have proclaimed as "Natural Rights".

Instead of regarding life as a right we should perhaps rather regard life as a privilege and a gift. Every human being who has received this gift, has received it at the expense of other potential beings. For this reason there should follow moral obligations with regard to conduct for those selected few who have been granted permission to stay on this earth for some years.

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