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1 THE CONCEPT OF HUMAN RIGHTS IN FAMOUS AMERICAN INTELLECTUALS' WRITINGS FROM PURITAN TO MODERN ERA

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1 ABSTRACT

This paper intends to trace the appearance of the human rights concepts and/or issues appearing from the Puritan era into the modern era, especially in early years of the twentieth century. The study is focused on some writings, precisely nonfiction writings, from famous American intellectuals that have been compiled in two volumes entitled *The American Intellectual Tradition* (2011) by David Hollinger and the friends. It is clearly seen that the concept and issue of human rights have already appeared since the early times of American civilization. Regardless of the uniqueness of human rights's idea in Puritan era, human rights had become stepping stones of how the American society should built up. Therefore, it is no wonder if the United States truly lays all aspects on the human rights, the liberal one, in particular. It now becomes the pioneer of the human rights.

INTRODUCTION

Nowadays everybody acknowledges that the United States of America (USA) is one of the countries serving as a pioneer in promoting the application of the humanitarian principles as a cornerstone of all regulations officially released by any countries or organizations, the United Nations Organization in particular (Henkin, 1998: 231; Moyn, 2010: 12); Maddex, 2002: 52). Once a human tragedy happens, the country would usually take a frontier action to end the tragedy. USA will also take such active action as its official policy when one group of terrorism threatens its own people as well as other countries' people, as what it has done so far triggered by the militant groups like the Al Qaeda and the Islamic State of Syria in Middle East. On behalf of human rights enforcement, USA always proactively takes efforts yet full of risks in order to keep the world free from any inhumane practices like massacre or genocide, although to end them the USA together with its allies

sometimes undergoes wars as its actual method. This fact might be said as its everlasting agenda.

In other words, the human rights concept is definitely its spirit, and vision as a nation-state (Hathaway, 2007: 587; Kane, 2003: 777). It means that recognizing personal equality and liberty is a must to be enforced by all people being citizens in all aspects of life. In this sense the human rights can be said as the American identity either as a nation or as a country. The Americans really believe that the rights are truly as the ones that are natural, presocial, unalienable, and even moral (Nuriadi, 2014: 2) so that they are automatically inherent as a built-in ethic (Montgomery, 2007: 117) in each human since they are born into the world. By understanding the human rights in this liberal perspective, the USA as a country has already held those rights as the constitutional and or civil rights for all American people (Kane, 2003: 777) as clearly and explicitly stated in its Constitution and the Amendments. This is why the human rights have really become the identity of the country.

Therefore, in related to the above-mentioned notions, I am interested to discuss it further in context of tracing how the concepts or ideas of human rights are expressed by some distinguished American intellectuals through their writings existing in four stages of eras. In other words, my motivation to write this paper is to expose how the USA as a nation-state has been intermingling with the ideas and issues of human rights since the early stage of its existence until the present time. This study is necessary to be done so as to know scientifically how the human rights as ideas have already been expressed within each era and can finally become the backbone of the US real spirit and vision as a big country. In other words, by presenting the ideas of human rights in different eras we can finally see the human rights not as the things existing all of a sudden.

In the sense of proving it, this paper actually covers this issue in four stages of era in American history i.e. the Puritan era (seventeenth century), the revolutionary era (eighteenth century), the democratic era (nineteenth century), and the modern era (twentieth century). First of all it discusses the writings appeared in Puritan era like John Winthrop's, John Cotton's, Anne Hutchinson's, and Roger Williams' writings. Then, it is continued with the presentation of some substantial ideas from the very distinguished figures in the Revolutionary era like Thomas Paine, Thomas Jefferson, James Madison, and John Adams as those are seen in their writings. Hence, this paper is tracing the concepts of human rights from several intellectual writings appeared in the next era, the democratic era, as proposed by William Lloyd Garrison, Frederick Douglass, Martin Delany, George Fitzhugh, Abraham Lincoln, Sarah Grimke, Margaret Fuller, and Louisa McCord. Finally, the discussion will be ended by discussing some writings published in the modern era written by some intellectuals like Malcolm X, W.E.B. Du Bois, Elizabeth Cady Stanton, Jane Adams, Betty Friedan, and Nancy J. Chodorow.

The Appearance of the Human Rights in Four Eras

Did Human Rights appear in Puritan Era?

When reading the “Universal Declaration of Human Rights” (1948), there are two pillars or the prerequisites that must always be present dealing with the existence of human rights; that is the “equality” and “freedom”. In other words, if there is a guarantee for an equal treatment and freedom for each human being or individual in certain country, it may be inferred that the practice of human rights simply exist. So, how was about in Puritan era, especially in the era of John Winthrop and the next in Massachusetts Bay Colony particularly? It seems to me to say a bit doubt whether those two pillars of human rights really existed or not. Why was it so? This doubt is actually strengthened by the concept presented by John Winthrop in his writing *Model of Christian Charity* (1630). He said from the very beginning of his writing that human being was created by God in different condition, namely: one is rich other is poor and one is higher and dignified but other is mean and submissive. Here is Winthrop’s statement: “God Almightye in his most holy and wise providence hath soe disposed of the Condition of mankind, as in all times some must be rich some poor, some high and eminent in power and dignity; others meane and in subieccion” (Hollinger I, 2001: 7).

It means that richness and poverty, height and lowness in dignity and power are inferred as the natural conditions or they are divinely given which cannot be neglected be all human beings. In other words, the quotation of John Winthrop above vividly depicts that equality was absent in Puritan era. Therefore this era becomes quite different from the eras where John Locke or Thomas Jefferson started realizing human rights as connerstone of a country.

It is true that the governmental system applied in this Puritan society was fully based on the Scriptures. In other words, the constitution was derived from Holy Book by which all people was guided and controlled with it. Here, as taken from the Scripture, there are two rules that lead people namely ‘justice’ and ‘mercy’. Winthrop said justice and mercy are always distinguished in their act and in their object, yet may they both concur in the same subject in each respect. Those two served as the double law (Hollinger I, 2001: 7). Along with the double law, mercy and justice, Winthrop dreamt of having man to love his neighbors as himself and this ground stands all the percepts of the moral law which concerns the dealings with men (Hollinger I, 2001: 7). However, Winthrop warned that such law needed two things, namely: “[F]irst that every man affords his help to another in every want or distress. Secondly, that he perform this out of the same affection, which makes him careful of his own good according to that of our Savior” (Hollinger I, 2001: 7).

Besides, along with the concept presented in his writing, Winthrop yearned to found an ideal government fully based on the Scriptures, implying that the rich had a task to help the poor; the low person had no power to protest to the powerful one; and more importantly each person had no freedom to protest what and why an authority decided certain thing because the authority is the powerful and the representative of God. All people had to take it for granted.

Otherwise, they would be punished and banished on behalf of God's power. This is what is meant by Winthrop as "A City Upon Hill. This is Winthrop's statement, as follows:

"A City Upon Hill, the eyes of all people are upon us soe that if wee shall deale falsely with our god in this worke wee have undertaken and soe cause him to withdrawe his present help from us, wee shall be made a story and a by-word through the world, wee shall open the mouthes of enemies to speake evill of the ways of god and all pefessours for Gods sake; wee shall shame the faces of many of gods worthy servants, and cause their prayers to be turned into Curses upon us till wee consumed out of the good land..." (Hollinger I, 2001: 15).

Moreover, John Cotton, another figure of the Puritans, also said in supporting Winthrop's concept as the Scriptures as the main Law, like mentioned above, through his writing *A Treatise of the Covenant of Grace* (1636): "that the Law was our School-master to Christ; as a School-master driven his Scholar through fear, unto this or that duty; so the Law of God driven the soul through fear unto Jesus Christ..." (Hollinger I, 2001: 17). Cotton, henceforth, emphasized the significance of the Law (taken from the Scriptures) by saying that the law becomes a snare unto them; and that which is of singular and wholesome use unto the Children of God and as their obedience to the Law is a snare unto them, the delight and comfort is greater snare than the others (Hollinger I, 2001: 18).

Along with the Law of God (or the Scriptures), the "knitting together" between the two different sides, as mentioned by Winthrop (Hollinger I, 2001: 7) and as vividly explained by Cotton, can be occurred and the brotherhood exists among people on behalf of their obedience to God through the Law assigned. However, despite the tie of brotherhood goes on, but the inequality is definitely exists ("all men being thus, by divine providence, ranked into two sorts *riche* and *poore*") (Hollinger I, 2001: 7), so there is no 'human rights' as being understood today where equality and freedom are the two main pillars of it, or the human rights appeared very differently in the Puritan era.

Hence, to strengthen a proof about the condition where there was no human right²² specially right for liberty, in that era, Anne Hutchinson in her writing *The Examination of Mrs. Anne Hutchinson at the Court at Newtown (1637)* depicted how she experienced by herself suffering being accused and tried due to her different belief from Puritanism in that place. She was compelled to come back to believe as the Puritans did, but Hutchinson rejected since according to her it was her freedom to believe God in different way. Consequently, Governor Cotton finally decided that she was an Antinomian and must be caught and soon be banished or sent away. Such fact is clearly shown in the following quotation below:

³
Gov: The court hath already declared themselves satisfied concerning the things you hear, and concerning the troublesomeness of her spirit and the danger of her course amongst us, which is not to be suffered. Therefore if it be the mind of the court that Mrs. Hutchinson for these things that appear before

us is unfit for our society, and if it be the mind of the court that she shall be banished out of our liberties and imprisoned till she be sent away, let them hold up their hands.....

Gov: Mrs. Hutchinson, the sentence of the court you hear is that you are banished from out of our jurisdiction as being a woman not fit for our society, and are to be imprisoned till the court shall send you away. (Hollinger I, 2001: 18).

The fact about there was no freedom was actually not only experienced by the Anne Hutchinson. This condition was also suffered by other European emigrants coming to the New World especially in Massachusetts. To mention other prominent figure is Roger Williams. Roger Williams, before going to Rhode Island and founded it as a new colony, he once came to Massachusetts and got imprisoned due to his revolutionary idea and being opposite to Puritanism. His idea was "freedom of conscience". It means not far different from Hutchinson's that each person has a freedom to embrace a religion; or religion is a part of personal or private thing. In his writing entitled *Christenings Make Not Christians* (1645), Williams said outspokenly about his idea, as follows:

I know (lastly) the consciences of many are otherwise persuaded, both from Israel state of old, and other Allegations, yet I shall be humbly bold to say, I am able to present such considerations to the eyes of all who love the Prince of truth and Peace, that shall discover the weakness of all such allegations, and answer all objections, that have been, or can be made in this point. So much negatively. (Hollinger I, 2001: 44)

Besides, Williams also said:

The truth is, having not been without (though the mercy of God) abundant and constant thoughts about a true Commission for such an Embassy and Ministry, I must ingenuously confess the restless unsatisfiednesse of my soul in diver's main particulars: I say whether Gods great business between Christ Jesus the holy Son of God and Antichrist the man of sin and Son of perdition, must not be first over, and Zion and Jerusalem be rebuilt and re-established ... (Hollinger I, 2001: 45).

Once again, if the equality and freedom become the main prerequisites for the existence of human rights, as what most people believe nowadays, it can be inferred here that those did not come into being at the era of early American settlement, especially in the Puritan society in Massachusetts Bay Colony, as one of the factors, because Puritanism was the Supreme Law of the society where there was no separation of Church and State affairs which led to a single authority. This fact brought the presence of strictness and uniformity in almost all aspects of human life.

Human Rights in the Enlightenment or Revolutionary Era

It has to be recognized that the revolutionary era happened in the United States was triggered by the birth of enlightenment where the power of reason and the

istence of human beings started to be recognized (Montgomery, 2007: 18). In other words, the concept of human rights which is now developing is actually started in this era too. Then, believe or not, due to the existence of human rights as a part of awareness from the most American figures at that time, the United States was finally driven to its independence.

Human rights first of all appeared as a discourse of some intellectual people in that era, whose ideas were some inspired from the great thinkers of Europe such as Rousseau, Montesquieu, Locke, etc. One of whom, to name one by one, is Thomas Paine. Paine could awaken the spirit of American people to determine their identity through his writing *Common Sense* (1776). The spirit is directed to be independent since independence is a first gate to achieve a complete “inalienable rights”, even it is a part of them, as mentioned by John Locke such as the right to life, liberty, and property. Those rights could be effectively attained if there is self-government, no more colonization. So, according to Paine, the formation of government was urgent for Americans at that time. This idea is impliedly seen through Paine’s so-called pamphlet writing. He said:

Government, like dress, is the badge of lost innocence; the palaces of kings are built on the ruins of the bowers of paradise. For, were the impulse of the conscience clear, uniform, and irresistibly obeyed man would need no other lawgiver; but that not being the case, he finds it necessary to surrender up a part of his property to furnish means for the protection of the rest... (Hollinger I, 2001: 126).

Certainly, the idea of government proposed by Paine in his *Common Sense* referring to the democratic format, in which one of its pillars is the enforcement and recognition of human rights. In line with this, the concept of democracy which was proposed by Paine as the foundation of the self-government of the United States is later on theorized again by Frederick Jackson Turner in his *The Significance of the Frontier* (1893) namely it was actually found or formatted by the frontier men (Hollinger II, 2001: 91).

Talking about the human rights further, it is clearly seen that the discourse of human rights in this era really served as a backbone of the declaration of independence for Americans. The concept of human rights applied in the system of government is where the most power is on the people, as Alexander Hamilton also said in supporting the ideas of some figures mentioned above and tried trying to support the idea of Jefferson, through his Constitutional Convention Speech on a Plan of Government (1787) namely: “Its sovereignty is immediately before the eyes of the people; its protection is immediately enjoyed by them” (Hollinger I, 2001: 159).

Moreover, as already been publicly known that Thomas Jefferson was the key framer of that declaration, in which he said three important items closely related to the human rights formulation and was also fully inspired by English philosopher, John Locke. The three items are (1) the equality of human beings as the creature of God, (2) the human beings have inalienable rights, and (3) to enhance and secure those rights it is need a government supported by the

power of people. To make it clearer, below is the quotation taken from Declaration of Independence (1776):

We hold these truths to be self-evident that all men are created equal, that they are endowed by their Creator with certain inalienable 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 in such from the consent of the governed, that whenever any form of government destructive of these ends, it is the right of the people to alter or to abolish it and to institute new government...(Hollinger I, 2001: 134).

Based on the quotation, the form of human rights comprises three i.e. the right of life, the right of liberty, and the right to pursuit of happiness. In context of convincing people about the originality of these three rights, Jefferson acknowledged that he was inspired from John Locke who once said the rights of Life, Liberty, and Property.

Jefferson then tends to agree with the idea of Paine's that the government is really urgent for the sake of enhancing the human rights belonged by all American people, as the citizens of the new country later on. Here, government serves as a sort of "instrument", political instrument, in order to the accommodation and enforcement of any civil rights of the citizens justly distributed. In this case, Jefferson suggested the model of government is federal, where any states become autonomous (free and independent). To prove this, this is the quotation: "We, therefore, the Representatives of the United States of America, in General Congress, Assembled, appealing to the Supreme judge of the world...and by the Authority of the good people of these Colonies solemnly publish and declare that these united colonies are, and the right ought to be Free and Independent States..." (Hollinger I, 2001: 135-136).

Moreover, John Adams suggested the government of the United States in Republican form. He mentioned this idea in his letter to Samuel Adams (1790) saying that government will be in the republican form. It is a fixed principle with him that all good government is and must be a republican form (Hollinger I, 2001: 173). With republican form, there is a representation, indeed, as Adams said further: "I mean a government in which the people have collectively; or by representation, an essential share in the sovereignty." (Hollinger I, 2001: 173). Related to this, James Madison also agreed with Adams' ideas and explained it further in *The Federalist Number 10* (1787): "A republic, by which I mean a government in which the scheme of representation takes place, opens a different prospect, and promises the cure for which we are seeking. Let us examine the points in which it varies from pure democracy, and we shall comprehend both the nature of the cure, and the efficacy which it must derive from the union, should have as little agency as possible in the appointment of the members of the others. Were this principle rigorously adhered to, it would require that all the appointments for the supreme executive, legislative, and judiciary magistracies should be drawn from the same fountain of authority, the people, through channels, having no communication whatever with one another" (Hollinger I, 2001: 158-161).

In the further step after this country got its independence, the discourse and concept of the human rights were things to be put forward as the basic foundation for the formulation of its Supreme Law known as the Constitution. The human rights are in the forms of civil rights of all Americans that are explicitly stated and regulated by this Constitution. Here, human rights had become an important part of the National system especially the governmental system. All regulations were ratified in the Constitution, together with the presence of all political instruments, subjected to the honor and protection of people's dignity and human rights. As the endorsement of this statement, for instance, the First Amendment of the US Constitution was ratified in 1791 to embrace several human rights or the civil rights for Americans. To mention the rights in this First Amendment are the right to have a religion and freedom to exercise it, the right for the press, the freedom of speech, the right to assemble, and the petition the government for a redress of grievances.

Human Rights in Democratic Order

28 After the United States had got its independence or sovereignty as a nation-state being supplemented with its Supreme Law as a federal country, the issue went on in this country was how to run the country going on. In fact, in the eyes of human rights, starting from its independence declaration, this country has never been apart from any social problems which always lead it to a paradoxical situation (Ryan, 2009: 4), especially when it came up in the nineteenth century. The situation was, in fact, caused by at least two big issues happened in the nineteenth century.

First, the very big social problem in terms of human degradation (human rights issue) in this era was the issue of "slavery", as a peculiar system applied in a country somewhat recognizing "all men are created equal". Due to this issue or problem, this country was torn apart into two, the North against the slavery whereas the South for the slavery. With this issue the United States was unavoidably trapped into the biggest war, the Civil War, in the mid of the nineteenth century for about five years.

13 William Lloyd Garrison, as the supporter for the anti-slavery in the North or to be said here as the supporter for human rights, outspokenly stated in his *Thoughts on African Colonization* (1832) that abolition was the way to free the Negro people from the slavery system in the South. He said: "We contend for the immediate personal freedom of the slaves, for the exemption from punishment except where law has been violated, for the employment and reward as free laborers, for their exclusive rights to their own bodies and those of their children, for their instruction and subsequent admission to all the trusts, offices, honors, and emoluments of intelligent freemen" (Hollinger I, 2001: 256).

Hence in the same spirit of struggle and anti-slavery with Garrison, Frederick Douglass, other prominent figure in this era, saw that the slavery was really put America in the falseness on humanity as well as in the falseness in understanding the Bible. Slavery is sinful and shameful, according to this man. Through his writing entitled *What to the Slave Is the Fourth of July?* (1852),

he said: "America is false to the past, false to the present, and solemnly binds herself to be false in the future. Standing with God and the crushed and bleeding slave on this occasion, I will, in the name of humanity which is outraged, in the name of liberty which is fettered, in the name of constitution and the Bible, which are disregarded and trampled upon, dare to call in question and to denounce, with all the emphasis I can command, that everything that serves to perpetuate slavery – the great sin and shame of America!" (Hollinger I, 2001: 501-502).

In the same tense and idea mentioned by Douglass above, Martin Delany, through his *The Condition, Elevation, Emigration, and Destiny of the Colored People of the United States* (1852) even more strongly provoked all the Negroes (his race) to awake from slavery in order to determine their own rights (namely, the rights which are inalienable and granted by God) of being equal with the white people in the United States, by saying as follows: "It is time that we had become politicians, we mean, to understand the political economy and domestic policy of nations; that we had become as well as moral theorist, also the practical demonstrators of equal rights and self-government. Except we do, it is idle to talk about rights, it is mere chattering for the sake of being seen and heard – like the slave, saying something because his so called "masters" said it, and saying just what he told him to say. Ha^g: we not now sufficient intelligence among us to understand what is best to be done? If we have not now, we never shall have, and should at once cease prating about our equality, capacity, and all that" (Hollinger I, 2001: 483).

The anti-slavery movement as the motor for the anti-slavery sentiment and spirit developing in the North was very unavoidably forceful and wrapped the Northern people into the one same and decisive direction that is to banish the slavery as soon as possible. However, the South in other side tried to defend and rationalize the legality or legitimacy of the slavery system. In this case, one of the intellectuals coming from the South who tried to offend the idea and spirit of anti-slavery from the North is George Fitzhugh. According to him the Negro people were inferior to the white people either in capacity of intellect or in manner (Hollinger I, 2001: 479). He even said in his *Sociology for the South* (1854), Fitzhugh further said that the enslavement of Negro people is the way to avoid the enslavement of the whites and it had been conducted with legal regulations, as quoted: "We have introduced the subject of negro slavery to afford us a better opportunity to disclaim the purpose of reducing the white man any where to the condition of negro slaves here. It would be very unwise and unscientific to govern white men as you would be Negroes. In some cases, there has been much of legal regulation, much restraint of the master's authority" (Hollinger I, 2001: 480).

However, despite the great defense undertaken by the South, the power of anti-slavery was much stronger and bigger. In other words, the idea of human rights to defeat the slavery is open up. This fact was even directly held by the incumbent president of the United States in that era, Abraham Lincoln. This man also really supported the anti-slavery sentiment by saying in his speech entitled Speech at Peoria, Illinois (1854) namely:

5 “I say this is the leading principle – the sheet anchor 10 of American republicanism. Our Declaration of Independence 5: says that all men are created equal that they are endowed by their Creator... Now the relation of masters and slaves is, “*Pro Tanto*”, a total violation of this principle. The masters not only govern the slaves without his consent, but he governs him by a set of rules altogether different from those which he prescribes for himself” (Hollinger I, 2001: 518).

Second, the other big issue happened in the nineteenth century in the sense of the human rights issue is the absence of women recognition (or the gender issue). This issue started coming up in the United States specifically when the issue of slavery ended; meaning that, the Negro people had already been all freed from the slavery system and recognized to be the American citizens by the country through the Thirteenth and Fourteenth Amendment of the US Constitution. The Negro people had even been allowed to involve in political realm regulated in the Fifteenth Amendment. However, unfortunately, the condition of women was still degraded, unrecognized, subordinated, and assumed as a ‘complement’ for the men. The women were not allowed to involve in public or even political affairs, but remain working in domestic affairs. Due to this situation developing in the status-quo society, some women reformers came into being.

The first and early prominent reformer to be mentioned here is Sarah Grimke. She theorized and formulated 16: her idea upon the equality between man and woman through her writing, *Letters on the Equality of the Sexes and the Condition of Woman* (1838). The idea of equality was actually appeared from the creation of Adam and Eve by God especially when they were still in Heaven. She therefore said: “Here then I plant myself. God created us equal; -- he created us free agents; -- he is our Lawgiver, our king and our judge, and to him alone is woman bound to be in subjection, and to him alone is she accountable for the use of those talents with which her Heavenly Father has entrusted her. One is her Master even Christ” (Hollinger I, 2001: 271).

In terms of equality or equal recognition, Margaret Fuller even tried to propose more concretely that, in her eyes, women actually 32: need ‘freedom’ for their realization. She argued in her writing *Women in the Nineteenth Century* (1845) that “What woman needs is not as a woman to act or rule, but as a nature to grow, as an intellect to discern, as a soul to live freely and unimpeded, to unfold such powers as were given her when we left our common home” (Hollinger I, 2001: 390). She said such statement because Fuller felt that women were a kind of ‘prisoners’ of men in the home; they had no freedom to do the same thing as men in outside of the house. Therefore, the only demand of women, as represented by her mouth, is that freedom. She stated the reason as “The only reason why women ever assume what is more appropriate to you is because you prevent them from finding out what is fit for themselves” (Hollinger I, 2001: 394).

However, when women demanded the real equality and equal treatment as what men had in public and political spaces, Louisa McCord tended to disagree with this situation. If this happens, it means the women have

degraded themselves and against her natural law because according to her the only suitable position for women is to care her husband with love. With the love, too, woman could actually perform her¹¹ position, as she said in her *Enfranchisement of Woman* (1852): “Woman’s duty, woman’s nature, is to love, to sway by love, to govern by love, to teach by love, to civilize by love! Our reviewer may sneer – already does sneer – about ‘animal functions’ and the maternity argument... True woman’s love is too beautiful thing to be blurred by such sneers.” (Hollinger I, 2001: 460).

In other words, McCord believed that if the women wanted to reach their greatest height, they did not need to be ‘men’ but by becoming, more than ever, women and with being a woman perfectly, they can perfect the mankind including the men. This is the effective way to conquer the men or more moderately, to make themselves equal to the men, according to McCord, not through rivaling the men. To be clearer, here is McCord’s statement:

Woman will reach the greatest height of which she is capable – the greatest, perhaps, of which humanity is capable – not by becoming man, but by becoming more than ever, woman. By perfecting herself, she perfects mankind; and hers, we have said, is the higher mission, because, from her, must the advance towards perfection begin. The woman must raise the man, by helping not by rivaling him” (Hollinger I, 2001: 466).

In spite of the disagreement voice upon the ‘appropriate position’ of women in that era, as what was proposed by McCord above, the struggle of equality²⁰ conducted by the woman figures were pertinently going on. Lucretia Mott, Elizabeth Cady Stanton, Angelina Grimke, Sarah Grimke, Susan B. Anthony, Margaret Fuller, to name some of the prominent figures, went on to proclaim and demand their ‘correct position as the human beings, being equal creatures of God. In this case, Elizabeth Cady Sta⁵nton outspokenly said in her *The Solitude of Self* (1892): “Think of woman’s position! Robbed of her natural rights, handicapped by law and custom at any turn, yet compelled to fight her own battles, and in⁹ the emergencies of life to fall back on herself for protection... man and woman, it is ever the same, each soul must depend wholly on itself (Hollinger II, 2001: 41 and 42). The result of the struggle is then successful, in the end. This is proved with the accommodation or acceptance of the women to have suffrage or the²⁶ right to vote, and led the Nineteenth Amendment of the US Constitution in the early years of the twentieth century.

Human Rights in Modern Era

Modern era, needless to say, has actually started since by the end of the nineteenth century. It is proved by the¹⁵ booming of industrialization in the United States and, side by side, supported by the gross growth of the capitalism in mobilizing the human being’s civilization. In other side, the issues on human rights which formerly spread away in the nineteenth century, in fact, still proceeded to the years of twentieth century. Those issues are the Negro races’ decent position and the gender issue in the society.

In the sense of the Negro race (now called as “Afro-Americans), they still endeavored to fight against the unfair treatment they suffered done by the white people especially in the South although the slavery system had been erased. The forms of the unfair treatment were discrimination and segregation only due to their different skin colors. That is why Malcolm X said in his *The Ballot or the Bullet* (1964) in the case of awakening the struggle of the Negro’s human rights (their real freedom, particularly) with a statement: “Whenever you’re going after something that belongs to you, anyone who’s depriving you of the right to have it is a criminal. Understand that.” (Hollinger II, 2001: 400). More exactly, Malcolm’s ideas had already been uttered before, in the early years of the twentieth century. One of the black figures once mentioned that idea is W.E.B. Du Bois through his *The Souls of Black Folk* (1903). He said explicitly that the Afro-Americans’ condition were still in discrimination and they therefore needed to struggle against it. Du Bois said: “Freedom, too, the long-sought, we still seek, -- the freedom of life and limb, the freedom to work and think, the freedom to love and aspire. Work, culture, liberty, -- all these we need, not singly but together, not successively but together, each growing and aiding each, and all striving toward that vaster ideal that swims before the Negro people, the ideal of human brotherhood, gained through the unifying ideal of Race...” (Hollinger II, 2001: 161).

Beside the issue on the Afro-Americans’ existence, the issue of gender actually comes up and even proceeds pertinently in the modern era. The women’s former efforts became a stepping stone for the next figures to do more for women’s existence. In other words, the influence of American feminists, especially Elizabeth Cady Stanton’s ideas, had been spreading away in almost all aspects of human life, not only in politic aspect as being fought by Stanton, but also proceeded in economic aspect. In here, Elizabeth Cady Stanton came up to be a “heroine” for American women. Again, according to her, the change should start from domestic place, in which a woman should not really abide by the rules (as a form of powers) from her husband. In this case, Stanton said in her *The Solitude of Self* (1892) “Whatever may be said of man’s protecting power in ordinary conditions, alone woman must ever meet the honors of the situation. The Angel of Death even makes no royal pathway for her. Man’s love and sympathy enter only into the sunshine of our lives” (Hollinger II, 2001: 43).

However, in the sense of more moderate articulation despite being the same tense with Stanton’s above, Jane Adams tried to offer her brilliant idea concerning the Social Settlement through her *The Subjective Necessity of Social Settlements* (1892). In here, in order to strengthen the position of the women (the girls, especially) living side by side with the men, so the social Settlement is a breakthrough (or as an experimental effort), according to her, where the women can be educated to be more humanistic in the world of industrialism and capitalism which all have been so far dominated mostly by men. Adams therefore said: “The Settlement, then, is an experimental effort to aid in the solution of the social and industrial problems which are engendered by the modern conditions of life in a great city...It (the settlement) must be grounded in a philosophy whose foundation is on the solidarity of the human

race, a philosophy which will not waver when the race happens to be represented by a drunken woman or n idiot boy” (Hollinger II, 2001: 136).

Furthermore, in my opinion, American women appeared to be more ‘pragmatic’ or practical in running their struggle. It means that the American women had successfully shown their Americanized characters. This fact then, in my opinion, may be said as an extended form and impact of the struggle for women’s human rights in modern world. Even not only their practicality, the women also tended to be more ‘individualistic’ in terms of believing their self-power, as described by Frederick Jackson Turner (see Hollinger II, 2001: 91 and 92). As a proof of these American women’s characters, practical and individualistic, they tended to be career women. Betty Friedan through her *The Feminine Mystique* (1963) in this case underlined this fact by saying that the women should demonstrate their feminine capabilities that go far beyond childbirth (Hollinger II, 2001: 390). With this, for Friedan, there exists an ‘ideal’ woman in the functionalist perspective; that is, “what woman should be”. So, becoming a homemaker for a woman is a career as long as the woman supplements herself with various knowledge/skills; so she is a general practitioner rather than a specialist (Hollinger II, 2001: 387). So, with the concept proposed by Friedan above, the woman can finally be more autonomous, more individual, and even show herself in the ‘separateness’ with the men. The idea of separateness, autonomy, and individuality belonged to women are mentioned by Nancy J. Chodorow in her *Gender, Relation, and Difference in Psychoanalytic Perspective* (1979), as she said: “There is also a preoccupation among some women with psychological separateness and autonomy, with individuality as a necessary women’s goal. This preoccupation grows out of many women’s feelings of not having distinct autonomy as separate selves to men” (Hollinger II, 2001: 442).

At last, the issue of human rights will go along with the lives of human beings, although they come up, perhaps, not as a ‘big one’ as what formerly happened in the nineteenth century. The issue of human rights on women, for example, is still discussed in modern era even in postmodern one where this issue intermingles with more varies of perspectives and specific ideas through which the women are truly equal and cannot be discriminated and subordinated at all.

CONCLUSION

It can finally be concluded that by tracing the ideas or thoughts of human rights in four stages of American historical era as proposed above, they actually grew up and developed in line with the nation’s spirit and world view in each stage of era. In spite of the fact, the ideas of equality and liberty of human beings become the most pivotal blueprints that appear in most writings of all eras as shown by the American intellectuals. In the early stage of era, the concept of human rights can be said as an ‘embryonic’ shape of it, while the next eras in which their intellectuals took important roles served as the moments for transforming it into a real vision of the country.

In the Puritan era, it is found that there was no liberty and equality as what Americans enjoy nowadays. Those ideas were practiced for specific people. In

the Enlightenment or Revolutionary era, the spirit of liberty and equality as the two main ideas of human rights were started to be launched by the intellectuals. In this case, they were all inspired by the European philosophers, especially John Locke, so the human rights were self-evident truth. In the era of democratic order, the ideas of human rights proclaimed in the previous era were really continued, practiced, and even **rested** as the vision of the Americans. This fact was then enhanced in the **modern era, especially in the twentieth century**. In **the** last era, the ideas of human rights were mostly imbued and spread by the intellectuals of the minority. However, this fact actually more strengthens the ideas of human rights in liberal side as the country's backbone and identity.

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