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## The Aesthetic Right as a Human Right

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Aesthetics and human rights appear worlds apart. While human rights are advocated as essential to human fulfillment, and hence as standards for judging society, polity, and culture, aesthetics seems to deal with side issues, inessential to fulfillment, a refinement or ornamentation that goes beyond what is basic to our lives. The aesthetic is something solitary, private, individual, while human rights are matters for public defense and extensive solidarity. We work together on human rights as philosophers and citizens of the world. We work apart, and at our leisure, on aesthetics, as theorists or cultivators of the arts. Human rights require action. Aesthetics merely requires appreciation.

In two major areas aesthetic concerns are freely admitted into the domain of human rights. (1) Artistic treasures may be regarded as belonging to the culture that produced them. A right exists to safeguard and assure access to the products of our culture's creative labor. This is a claim against (and rights may be understood as claims against) destruction or forced exportation of a cultural heritage. (2) A people has the right to free cultural expression in the use of its language, in religious observances, customs, dress, theater, dance, and music. This is a right to a cultural identity as shaped by a people for itself. Hence, it is a claim against subjugation to a foreign culture. Even a politically subordinate people may claim such a cultural right against the ruling power.

These rights to our cultural treasures and our cultural expression are clearly part of the broader right of a people to respect for its integrity and its freedom. This is a principle of cultural self-determination. The cultural dimension of the identity of a people is what counts in the claims for these rights. The aesthetic is not laid claim to in its own right; it enters the rights talk because of its contribution to the cultural. The cultural—as shared values, modes of expression, common possessions, important traditions—may have little in it of the aesthetic in the usual Western sense of the beautiful or sublime. The aesthetic is but an element in the larger dimensions of cultural existence. What takes priority is the human right to ethnicity: the free exercise of continuing to be a distinctive people.

But let us go further to posit for every individual an intrinsic aesthetic right. What are the components of the right, each of which requiring philosophic argument? First, following from the recognized ethnic rights, is the right of every

individual of access to that person's cultural heritage with its aesthetic elements. But this is not the beginning and the end of the aesthetic right. For each individual, I assert, has the right of access to the *human* heritage with all its aesthetic elements. This is a right to go beyond your culture to experience the fullest humanity. Concomitant to this right is the right not to be simply a member of your group; you have the right to reject identification with your supposed people. This freedom from ethnicity is a valuable claim that individuals may make in a world of increasing authoritarianism, proliferation of nation-states, racial separation, religious intolerance, and ethnic aggressiveness.

Thus, the right in the cultural domain is double-edged: a right to what you claim as your heritage as member, and a right not to be limited to the heritage of a group to which you are assigned by birth or otherwise. Both rights must be respected, else serious deprivation and mutual destruction will continue throughout the world.

Something is marvelous about this proposed right of access to the whole world's culture, past, present, and even future, namely, that of all the cultural components the aesthetic is most readily appreciated, assimilated, and communicated. The aesthetic, because it speaks to imagination, is the open door to world culture. It affords immediate access. The works of imagination of others are available to us through our own imagination. Hence, a recognition of a shared humanity occurs; indeed, the humanity of each of us is expanded in the process. Human beings surely have the right to the fullest expansion of their humanity if this is accomplished in a way non-injurious to others. Imagination is humanity-expanding, and it operates by means that are pleasurable, socially harmonious, and nonviolent.

A strong case already can be made for your right of access to the *national* museums, performing arts, literary works, cityscapes, and even natural beauties. But we need equally to argue that the individual have access to the arts of others. In practice this means freedom to read works in all literatures and of all languages. Freedom to see foreign films, paintings, illustrations. Freedom to hear the music and song of others, which might well become your own music and song. To ship national treasures around the world for every culture to experience may not be easy, and this scarcely can be attempted with architecture, cityscape, or landscape. Yet access is possible through mass-produced pictures, video and film, broadcasting and recording. André Malraux's insight that publication of art works within the bounds of books allows us to have museums unbounded by walls, must be expanded to all media, until we have cultures without walls, cultures without boundaries. The world may be experienced as you sit in your study or in your village. Granted, some filtering will occur at the borders,

especially of political overtones, religious matters, and sexual treatments, yet in principle a free flow of the arts should—and easily may—occur across the world.

Some cultures, however, do not recognize the arts as a separate category of human activity. Aesthetics is interwoven in the life experience of the people. Other cultures distinguish, intellectually and in living, the aesthetic realm from the practical, scientific, and religious domains. Suppose such different cultures were to exchange music, dance, carvings, and stories. The integrated culture stands to gain a heightened sense of aesthetic potentiality in itself, while the departmentalized culture may gain a fresh sense of the aesthetic penetration into other areas of life. Discovery is occasioned by sharing. This discovery is of the creative legitimacy of others, but also of new-found values within yourself. Curiously, a culture strengthens itself by such openness to the discovery of what others are. It may be both proud and tolerant, both expressive and attentive, both traditional and responsive.

Hence, humanity has the right to a pluralism of artistic cultures. Diversity of expression, values, and cultural force is to be preserved, celebrated, and enhanced. Such diversity need not engender divisiveness. One humanity underlines the variegated world of imagination. Each person may grow with the gift of others. To close the borders of art, to force down upon the imagination of individuals the crown of a single "authentic" culture, to crucify peoples on a cross of culture, is to illegitimately divide humanity into different species. This is the fundamental crime of humanity. The fundamental human right is to the fullness of humanity. The individual has the right not to be divided from that community of beings which is our species.

The right of access to the heritage of imagination implies a right to visit in person those treasures which cannot be sent on tour or simply duplicated. Thus, the architecture and ruins, frescoes and murals, cityscapes and villages, festivals and performances, nature and gardens, must be opened to foreigners as part of their heritage as fellow humans. Though we face problems in transportation and communication, and restrictions may legitimately be applied that are political and economic, this right to aesthetic tourism is to be recognized as a universal one. The scenic wonders of nature, such as the Himalaya Mountains or the Falls at Niagara, belong to us all as residents of the earth and are not simply the possessions of the states in whose territory they may be found. I am not convinced that Canada has met its obligation to humanity in allowing rampant commercial development at Niagara. The ruins at Copán in Honduras, at Tikal in Guatemala, and at Chichén Itzá in Mexico are the Mayan heritage of all America—and of all the world. National parks, those great programs for preserving nature which

have spread throughout the world, are really humanity parks, where every human being, regardless of nationality or wealth, may experience the deepest beauty, wonder, and sublimity. How I dream of visiting every national park in the world, for that would be paradise on earth.

The right of aesthetic tourism, that is, universal access on site to the heritage of imagination of every people, poses obligations upon communities and governments. Preservation is a priority. Access should not be allowed to debase sites, sights, values, or life. To tear down the jungle in order to make jungle culture conveniently available is to offer not access but annihilation. The right to preservation of each culture must balance the universal right of access to every culture. Inevitably local culture changes in response to the access that it gains to outsiders who come to savor its very difference from their outside world. We all stand to lose a little in authenticity, but we all stand to gain much in enriched diversity.

Programs of identification are necessary. Every political and cultural authority should conduct research as to what and where the imaginative heritage is that demands protection. Furthermore, authorities should enhance and extend that heritage, keeping it alive or reviving it by creative programs for its people. "Heritage" is a misleading term insofar as it suggests the passing on of inanimate possessions. In the life of the imagination, the heritage is the activation of creative experience. The works of the imagination are the workings of imagination, the imagination at work. In sum, the obligation of preserving and making available the past is an obligation to the vitality and growth of the present. States must serve the human right of aesthetic fulfillment.

The individual, if we follow the argument to its base, has the right to the enjoyment of the creativity of all humanity, to the exercise of one's own creativity, and to the fulfillment of aesthetic experience. These are not luxuries. They are essential to being human. These are not to be postponed until "underdeveloped" countries become developed, for imagination may be as developed in the economically poorer countries as in the richer; indeed, the proper guidance of an industrial civilization requires a developed imagination, not simply a developed technology or economy. Industrial societies which have lost their soul may learn much of value from agrarian, village, or forest cultures. The aesthetic right is not to be regarded as the exclusive prerogative of a cultured class. We are not talking about a fine art, reserved for refined experience of the few who have had the leisure and wealth to develop themselves by means of expensive activities. Creativity, joy, imagination know no class or caste. All have the right to these, for all have human faculties.

The aesthetic human right is a right to literacy, for this is the principal door to our own and all the world's literature. It is the right to the practice of our language by reading, speaking, listening, conversing, and singing. Language is the most plastic medium of aesthetic expression and impression.

The aesthetic right is the right of access to the works in parks, museums, and concert halls. These need to be subsidized as a public duty in order to allow entrance of the poor. The Smithsonian Institution, with its 14 museums open free to the public in Washington, and its travelling exhibits, is a model of cultural access. The aesthetic right demands appropriate elementary schooling not only in language and literature, but also in the plastic and visual arts, in music and dance, in the appreciation of architecture and cityscape, in the recognition of folklore and village crafts, and in the enjoyment of nature. These are basic skills of being human, for with them we are able to respond to the world, human and natural, as beings with alerted sensibility, appreciative involvement, and liberated imagination.

The right is also to experience aesthetically in the world, and this is not limited to experience of artworks. To experience aesthetically in life generally is to be free of pain and the drives of desire, free from fear and oppression, and free from the constant calculation of the practical and necessary. It is, in a word, the freedom to enjoy being. This is freedom to be joyful. This is the joy of freedom for human beings. Such experience is an ennobling pleasure, value-impregnated, active and participatory while appreciative, uplifting and tonic even in the encounter with the simplest things such as sunset or moonrise, and, finally, benevolent.

Experiencing aesthetically does put you in that agreeable mood which is an open disposition of goodwill towards the world. A world of individuals experiencing aesthetically is a world of persons each in tune within itself yet open to harmony with one another. Experiencing aesthetically is that *joie de vivre* which is the realization of the worth of living. It is the fertile field from which sprouts that intuition which respects the worth of our fellow living beings. Both religious experience and ethical recognition are tied to this joy-in-being, this being-in-joy.

Hence, the aesthetic right is a *human* right to joy. Social and economic arrangements owe this to us. Programs of education and development must give this priority. And the human-made and natural environment must permit this. This is a claim against pollution and neglect, against spoliation and oppression. A clear sky and clean streets are needed, as are a clean body and clear mind. The environmental crisis that besets the world has largely been discussed in terms

of health and economics. We must recognise here the claims of the aesthetic right as well. A befouled natural and urban world is a blight on the human potentiality for joy.

This aesthetic analysis carries us from the *cultural* to the *imaginative* to the *joyful*. The precise terminology does not matter. What we are invoking is a faculty, or a universal experience, or an essential dimension of being human. If this is given full attention, as by right it should, then the world will be transformed. Humanity would reshape the world by its imagination to fulfill its right to enjoy. What is at stake is not *merely* the artistic, not an inessential product of culture, but the whole life which is to be cultivated by humanity. A culture of humankind may arise from the universal exercise of this right.

And then what shall happen in the domains of the economic, political, scientific, and religious? These too will be transformed by intercultural respect, the spirit of sharing in our humanity, and the benevolence which accompanies joyful being. The *merely* aesthetic may become the regenerative power—that we have too long neglected—for the human community.

This analysis is only an outline of claims, a manifesto of rights, that needs arguing. The duty of the philosopher is to test such claims by the discipline of reasoning. Let us argue them out, for and against, no matter how utopian or melodramatic they sound. For often the visions of imagination provide the truths not yet thought of by mere reason.

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