

Human Rights Dialogue in the Spirit of Crazy Horse

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Introductory Words

In the United States it is customary at some point for an elementary school child to do a book report on a famous person of his/her choice. Perhaps social justice and human rights were in my “blood,” but I always felt “bad” for the Indians whose lands were not only stolen, but in battle were up against the well-equipped and armed United States cavalry. In the 6th grade, I chose, therefore, to do a report on a major Indigenous leader of the Lakota Sioux, *Thasunke Witko*, more commonly known by his anglicized name, Crazy Horse (c. 1840-1877). He played a major role at the Battle of Little Big Horn, a victory for Indigenous Peoples and where a major US general George Armstrong Custer was defeated.

After much work and handing in the report, I remember well the teacher’s words: “Who cares about Crazy Horse”?! If that wasn’t enough, adding insult to injury, he told me to pick perhaps a US president, a general, or famous politician even going so far as to “pick sides” and recommended General Custer himself. A child of only 11 years old, I recalled being coerced. But having no choice, or so I felt at that age, I did a report on Custer, whom I learned not to like very much, receiving thus a rather low grade. Strange, I thought as a child, what did the world, at least through the eyes of my teacher, have against Crazy Horse a man who found it difficult to imagine how “Whites,” as they were called, could tolerate poverty, such shameful treatment of the elderly, and simply wanted to be left alone and live-in peace (Clown, 2016; Matthiessen, 1991). For as he once said: “We did not ask you white men to come here. The Great Spirit gave us this country as a home. You had yours. We did not interfere with you. We do not want your civilization!” (All Great Quotes] (a), 2021).

Despite my purported “education,” I held fast to my adulation for Crazy Horse and later found that he was indeed an Indigenous spiritual leader of the Lakota Sioux nation. I recalled reading how he said “A very great vision is needed and the man who has it must follow it as the eagle seeks the deepest blue of the sky” (All great quotes (b), 2021) The eagle is reportedly a bird known to fly high and with good vision, yet, directly into a storm, a true risk taker, a bird of courage, in search of food for his family. What has become known in effect as the Spirit of Crazy Horse, which can ultimately be described as “peace, humility, and everlasting love” (GeoCities, 2006 cited Wronka, 2017, p.119) can serve I believe as a spiritual basis, if not, clarion call for all of us who are interested in creating a socially just world, constructed from the pillars of human rights. To be sure, China and the United States today arguably the two world superpowers, which will most likely continue into at least the next decade if not later can serve as major players, if not role models for other countries of the world, to engage in a creative dialogue in advancing such a challenge to promote social justice and human rights.

Toward the Creation of a Human Rights Culture: A Look at the United States and China

At least in the United States, however, Indigenous values and experiences tend to be given short rift. Recently, for example, the *New York Times* a newspaper of general international repute published an article on its editorial page (Egan, 2020) encouraging readers, who in this time of COVID-19 where “symptoms of depression have tripled and alcohol consumption has risen” to

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pay heed to the struggle of the white explorers Lewis and Clark, who underwent an “existential crisis that bedeviled [their] ragged crew.” Indeed their “exploration,” later evolved into “exploitation” I think of Indigenous lands and cultures, a kind of “American Holocaust” as the human rights scholar Stannard (1993) had noted. Given that COVID-19 has disproportionately affected Indigenous groups in the USA and Indigenous Peoples have historically experienced numerous other pandemics brought to the Americas by the European settlers, yet have survived, would it not have been more appropriate for the *New York Times* to have urged its readers to adopt The Spirit of Crazy Horse? In this essay I argue for such a Spirit, but in a broader context as a means to engage in a creative dialogue among the United States of America and the Peoples Republic of China, both nuclear armed countries, where the stakes are exponentially high.

What I am talking about here in the final analysis is the need to create a human rights culture, which can be called a “lived awareness” of human rights principles in one’s mind and heart and integrated into one’s everyday life (Wronka, 2021). Such an integration can be done not only on an individual level, but also, on a state level. The word “culture” is from the Latin cultural meaning “tilling”. Thus cultivating, is like cultivating soil that can produce flowers, rather than weeds; nutritious, rather than toxic food; and a general fertile ground where life can manifest itself productively, creatively, and almost literally, fruitfully. With the Spirit of Crazy Horse in mind, therefore, I would now like to make some comments how this “spirit” can serve as a basis for a creative dialogue primarily between China and the U.S., though the words of Crazy Horse can have relevance for all countries. I will also mention select human rights documents as relevant, which can also help both countries move toward such a culture. To be sure, cultivating the soil, metaphorically speaking, can help us move toward that culture.

Certainly, with China’s President Xi Jinping’s phone call of congratulations to President Biden soon after the U.S. election and Biden’s statement that China will be central to U.S. foreign policy and according to him “We are ready to work with Beijing” (Biden Says, 2021) there is some reason to be hopeful and optimistic. Indeed, the previous Trump administration *inter alia* slapped additional tariffs on many Chinese goods, banned various Chinese apps, and engaged in furthering Sino-phobia by referring to COVID-19 as the “Kung Flu.” The following words are not to compare each country, but simply to suggest ways that both countries can engage in a creative dialogue with the vision and courage of the eagle and with peace, humility, and everlasting love, that is, the Spirit of Crazy Horse. “Creative” from the Latin *creare* meaning “to beget, produce, bring into being” hopefully, should provide therefore a productive interface and beget positive results.

Having the Vision and Courage of the Eagle: The Human Rights Triptych

Having the vision of the eagle thus necessitates that both countries do not lose sight of the entire corpus of human rights documents and implementation mechanisms which can be described as the Human Rights Triptych. It is worth explicating that Triptych in more detail here. Thus, this Triptych consists of the U.N. Universal Declaration of Human Rights at the Center Panel (UDHR). Briefly, The UDHR is a compromise among various historical, philosophical, and spiritual systems. Although originally a hortatory document, it is increasingly referred to as customary international law, which all nations must abide. That relatively brief thirty article document consists of five core notions. The first notion is human dignity (Article 1) and the second is non-discrimination (Article 2). Both notions reflect essential strands of some of the world’s major religions and ethical belief systems, such as the Judaic-Christian-Islamic tradition, Hinduism, Buddhism, and Confucianism. Thus, the only criterion to have one’s dignity is one’s humanity, not one’s gender, national or social origin, language, circumstances of birth or “other status”, which continues to be elaborated upon like sexual orientation, age, medical condition, disability (more appropriately differing ability) and descent. The third notion is civil and political rights (Articles 3-21), such as freedoms of speech, religion, the press, peaceful assembly, and expression, mirroring largely the values of Age of Enlightenment and the United States Bill of Rights. Also, called first generation or negative rights, they emphasize that government’s role is not to intrude into people’s lives. The fourth notion is that of economic, social, and cultural rights (Articles 22-27), such as rights to meaningful and gainful employment, rest and leisure, adequate shelter, medical care, security in old age, and education, mirroring for the most part the Age of Industrialization and the Soviet Constitution of 1924. Also,

referred to as second generation or positive rights, they emphasize government's role to do positive things to fulfill human need and promote well-being.

Finally, there is the notion of solidarity rights (Articles 28-30). Still in the process of conceptualization, they are the product of postmodernism, reflecting the failure of domestic sovereignty to provide for human rights for every person, everywhere. Emphasizing duties to the community and intergovernmental cooperation, they have come to mean rights to peace, humanitarian disaster relief, global distributive justice, self-determination, development, protection of the cultural and common heritages of humanity (such as religious shrines, cultural landmarks, the mountains, the oceans, the air, and even outer space), the right to environmental sustainability, and the promotion of world citizenship. It is important to emphasize that all of the above rights are interdependent and indivisible. What, after all, is freedom of speech to a person who is homeless, lacks medical care, and lives in a world at war? (Wronka, 2017)

It is noteworthy that the UN General Assembly, including China and the U.S., in adhering to the vision of a socially just world as delineated in the Universal Declaration endorsed it with no dissenting vote on December 10, 1948. There were eight abstentions, however, primarily Soviet "bloc" countries: Byelorussia, Czechoslovakia, Poland, Ukraine, USSR, Yugoslavia, but also Union of South Africa, and Saudi Arabia. In brief, it appeared that the "bloc" countries felt there was too much stress on civil and political rights; South Africa felt the General Assembly was insensitive to the problems of South Africans in a foreign land; and Saudi Arabia felt that the freedom of religion might be a pretext for invasion and imperialist aggression (Wronka, 1998).

The Right Panel: Guiding Principles, Declarations, and Conventions

This panel consists of documents like the Guiding Principles on Extreme Poverty and Human Rights (2012) and Business and Human Rights (2011), the Declaration on the Rights of Indigenous Peoples (2007) and Principles for the Protection of Persons with mental Illness and Improvement of Mental Health Care (1991) or declarations, such as the Declaration on the Rights of Peasants (2018) and the Declaration on the Rights of Indigenous Peoples (2007). Documents with stronger judicial force are called conventions or covenants, which have the status of treaties. Countries like the U.S.A. have statements in their constitutions, such as Article 6 in its federal constitutions called the Supremacy Clause, which states that treaties, when ratified "shall become the Supreme Law of the Land... And the judges bound thereby."

In addition to the U.N. Charter (1945), which also has the status of treaty, there are nine major conventions: the Convention on the Elimination of All Forms of Racial Discrimination (CERD, 1965); the International Covenant on Civil and Political Rights (ICCPR, 1966); the International Covenant on Economic, Social, and Cultural Rights (CESCR, 1966); the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, 1979); the Convention Against Torture (CAT, 1984); the Convention on the Rights of the Child (CRC, 1989); the Convention on the Rights of Persons with Disabilities (CPD, 2006); and the Convention for the Protection of All Persons from Enforced Disappearances (CPPED, 2010).

Generally, documents on the right panel of the Human Rights Triptych elaborate upon rights that the Universal Declaration only touches upon. Thus, the Universal Declaration says simply: "Motherhood and childhood are entitled to special care and assistance." CEDAW and the CRC, for example, establish what this special care and assistance means. Article 11 of CEDAW thus states that governments ought to "encourage the provision of necessary supporting social services to enable parents to combine family obligations and participation in public life particularly through promoting the establishment and development of childcare facilities." Article 12 aims to ensure "women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as, adequate nutrition during pregnancy and lactation." Examples from the CRC are in Article 7 the right of the child to be "registered immediately after birth... and the right to a name... a nationality... [and] to know and be cared for by his or her parents." Article 19 calls for "the establishment of social programs to provide necessary support for the child and for those who have the care of the child" (Wronka, 2017).

Of those nine major conventions, it is important to note that as of January 2021 the United States has ratified three of them: ICCPR, CERD, and CAT; China has ratified six: CERD, CEDAW, CRC, CAT, CESC and CPD. One can easily see here how a creative dialogue can ensue to fulfill the vision that a socially just world might be *vis-a-vis* these conventions. Why were some ratified and others not? To be sure, ratifying a convention is no guarantee it will be implemented. It can be argued even that there is a Eurocentric bias to such international conventions, reminiscent of the trail of broken treaties that European settlers wrought upon the “new” world, as often lamented by Indigenous Peoples. As Crazy Horse himself had stated while smoking the Sacred Pipe with Chief Sitting Bull, who had fought alongside him at the Battle of Big Horn: “Upon suffering beyond suffering, the Red Nation shall rise again, and it shall be a blessing for a sick world. A world filled with broken promises, selfishness, and separations. A world longing for light again” (Crazy Horse Quotes, 2021). Whereas I acknowledge the grain of truth in Crazy Horse’s words, that human rights documents may simply be a train of broken treaties, such human rights documents, nevertheless, can mean something. They are at least an accounting to show to the world a set of major human rights principles that countries, in this case, the United States and China, have formally committed themselves.

The Left Panel: Implementation Mechanisms

Undoubtedly, the weakest part of the triptych with its emphasis upon implementation, it consists of the U.N. Charter and treaty-based approaches; the Universal Periodic Review (UPR); world conferences; and global commemorations of days, weeks, and decades deemed significant in the implementation of human rights principles. One way to ensure the implementation of the U.N. Charter is the appointment of special rapporteurs to examine a particular theme and/or country that have gained prominence in the global community. Such themes have included racism and xenophobia (1993); violence against women (1994); extreme poverty (1998); the right to food (2000); torture (2006); freedom of expression (2010); the situation of Indigenous Peoples (2012); the promotion of democracy (2013); the enjoyment of human rights of persons with albinism (2015); and the right to development (2016).

Once conventions are ratified by a country, they must report to human rights monitoring committees roughly every five years reporting ultimately on progress toward adhering to principles of the convention. The Universal Periodic Review (UPR) process founded by the Human Rights Council on March 15, 2006 requires that all member states of the U.N. appear before the council every four years to engage in a creative dialogue with other states on how to advance human rights, broadly defined by the central and right panels of the triptych, in their respective countries. . By going to www.ohchr.org (U.N. Office of the High Commissioner for Human Rights) and in the search engine entering a specific country, in this case China and the United States of America, a country’s progress in regard to advancing human rights via their implementation mechanisms can easily be found and is available for anyone in the world community having access to the Internet.

There are also world conferences under the auspices of the U.N., but in concert with various non-governmental agencies (NGO’s). Some examples include population (Cairo, 1994); women (Beijing, 1995), food (Rome, 1997); racism (Durban, 2001); the information society (Tunisia, 2005); sustainable development (Rio de Janeiro, 2012); climate change (Paris, 2015); and the oceans (Lisbon, 2020, but cancelled due to COVID-19). Every five years there are follow-up conferences to assess progress toward adhering to principles as enunciated by the conferences. It is important to underscore here, the International Women’s Conference in Beijing, China (1995), whose five-year follow-ups continue to this day. Indeed, it appears to have spawned a number of human rights initiatives on violence against women and particular attention was paid to its 25th anniversary in 2020 (WECT International, 2021).

To create awareness of human rights principles, there are also select international days: Holocaust Remembrance Day (January 27); World Social Justice Day (February 20); Women’s Day (March 8); World Water Day (March 22); International Day to Eliminate Racial Discrimination (March 21); World Health Day (April 7); Indigenous People’s Day (August 9); World Mental Health Day (October 10); International Men’s Day (November 19); International Day of Persons with Disabilities (December 3); Human Rights Day (December 10); and International Day of Solidarity (December 20). There have also been international years: Women (1975); Indigenous

Peoples (1993); Eradication of Extreme Poverty (1996); Oceans (1998); Rapprochement of Cultures (2010); Forests (2011); International year of Light (2015); and International Year of Sustainable Tourism for Development (2017). There have also been international decades: Eradication Against Colonialism (2001-2010); Second Decade for Human rights Education (2005-2015); Action for Water for Life 2006-2015); Second Decade for the Eradication of Extreme Poverty (2008-2017); and Fight Against Desertification (2010-2019).

All the above might seem like a “tall order,” but that is what vision is about. It is certainly easier, to invade a country for ostensibly human rights violations, rather than engage in a creative dialogue over such principles which might seem endless, a bottomless pit. Indeed, such a doctrine of “humanitarian intervention”, the legal scholar Hugo Grotius (1583-1645) has repudiated (Buergenthal, 1988). But, in these days of possible nuclear annihilation, and possible “omnicide” by terrorist groups, including government sponsored terrorism (Lift on, 2014) that is the killing of every person, everywhere on the planet, in order to ostensibly start “anew,” we have no choice.

Having the courage of the eagle is also an important part of the equation. “Courage” from the French *Coeur* meaning “heart,” human rights cannot just be memorized, “spit back” to a professor by students on a multiple-choice test. Rather, human rights ought to be considered a way of life, thus necessitating massive human rights education, particularly among youth in both the United States and China. Indeed, the Human Rights Triptych just expounded upon, can serve as a means to engage in such education, thereby creating public sentiment in regard to human rights values. Values once inculcated are very difficult to change. The paradox, however, is that there needs to be robust debate, respecting differing viewpoints regarding human rights values. Ultimately, we must begin teaching human rights in our educational system, broadly defined, at an early age. The word “education” is from the Latin *educare* meaning “to grow, nourish, and strengthen,” and education should include, not only formal schooling, which is important certainly, but also the media, governmental and non-governmental institutions at least. Fortunately, and in brief, in China since the 1990s human rights education has “one of the most active and vigorous courses in the field of legal education in China” (Yang, 2016?). In the United States there are national networks dedicated to building a culture of human rights (www.hreusa.org and www.ushrnetwork.org). Those select examples, strongly suggest an excellent opportunity for both countries to move toward a “heartfelt” consideration of human rights.

Peace, Humility, and Everlasting Love

Peace thus is also fundamental to the Spirit of Crazy Horse. As mentioned, it is also considered a solidarity right, necessitating thus cooperation (from the Latin *cooperari* meaning “to work together”) among governments. As mentioned, the purpose of this essay is not to compare, but to entertain ways to have a creative dialogue which can lead to an enduring peace between China and the USA. In regard to the right to peace, former US President Dwight D. Eisenhower said: “Every gun that is made, every warship launched, every rocket fired signifies, in the final sense, a theft from those who hunger and are not fed, those who are cold and are not clothed. This world in arms is not spending money alone” (Chance for peace speech, 2021). That thought echoes the words of Albert Einstein who said: “You cannot simultaneously prevent and prepare for war. The very prevention of war requires more faith, courage [emphasis added] and resolution than are needed to prepare for war. We must all do our share, that we may be equal to the task of peace” (Fifteen Relatively Brilliant Albert Einstein quotes, 2018). The point is that people have economic, social, and cultural rights, as stated, like rights to food, shelter, and clothing, which defense spending abrogates. Surely, there must be peaceful, rather than warlike ways to provide for such rights.

In that regard, I recall well how when attending the International Conference on “Natural Law, Human Rights, and Chinese Traditional Culture” sponsored by the Law School and Institute for Human Rights China University of Political Science and Law (CUPL) in Beijing, (October 26-27, 2019) that there was an article in an English paper there that the Chinese government had sponsored a meeting of Nobel Prize Laureates to discuss ways that the world can have peace. Upon returning home, nowhere in the US press did I see that conference mentioned. Indeed, in 2019 the USA spent \$732 billion on military expenditures; China spent \$261 billion. In fact, the USA spent more than the next ten countries combined (Stockholm International Peace Research Institute, 2021).

Noteworthy here is the thinking of Immanuel Kant (1724-1804) who in his classic work *Perpetual Peace*, somewhat of a precursor to universal human rights and providing a theoretic basis for the League of Nations, which later evolved into the United Nations, argued that an enduring peace among nations could only be achieved through universal democracy and international cooperation, thus expunging hypocrisy between nations. He was also a strong proponent of the need for duties, for in his *Fundamental Principles for the Metaphysic of Morals* he stated: “An action to have moral worthy must be done from duty” (Curtis, 1981, p. 40) Those thoughts are echoed in Article 29 of the Universal Declaration: “Everyone has duties to the community in which alone the free and full development of his personality is possible.”

The Universal Period Review as an Opportunity for Fruitful Exchange

Rather than exchanging, therefore, bullets, bombs, or arms in general, countries can exchange words, particularly in international fora as asserted by Crazy Horse and Kant. A rather fruitful dialogue I think can be reaped by using human rights mechanisms as outlined above. One such method is the UPR mentioned above. “Under this mechanism, the human rights situation of all U.N. Member States is reviewed every 5 years. 42 States are reviewed each year during three Working Group sessions dedicated to 14 States each. These three sessions are usually held in January/February, May/June and October/November. The result of each review is reflected in the Final Report of the Working Group, which lists the recommendations the State under review (SUR) will have to implement before the next review” (UPR Info, 2021).

One way that recommendations are listed is in the Matrix of Recommendations. In this list, specific countries make recommendations regarding a country’s report, given before the U.N. Human Rights Council. The country responds by supporting the recommendation, simply noting it, or sometimes a combination of both. In my view, governments ought to have national conferences on how to engage in a creative dialogue to possibly implement such recommendations.

Although the United States went before the Human Rights Council on November 9, 2020, as of the writing of this article, it had not released its Matrix of Recommendations. The most recent available then are the recommendations from its May 11, 2015 submission. China’s recommendations to the USA were as follows:

China’s Recommendations	Response of the United States of America
Correctly address the root causes of racial discrimination and eliminate the frequently occurred excessive use of force by law enforcement against African minorities and ethnic minorities	Supported/Noted
Fully disclose the abuse of torture by its Intelligence Agency, ensure the accountability of the persons responsible and agree to unrestricted visit by the Special Rapporteur on torture, and other cruel, inhuman or degrading treatment or punishment to Guantanamo facilities	Supported/Noted
Ratify as soon as possible the Conventions on the Elimination of All Forms of Discrimination Against Women, on the Rights of the Child, on the Rights of Persons with Disabilities	Supported
Respect Indigenous Peoples and ethnic minorities’ rights and interests; fully consent with them on their land, autonomy, environment, language and other issues; correct the historical injustice and offer compensation	Supported
Ratify as soon as possible the International Covenant on Economic, Social, and Cultural Rights	Noted

Stop massive surveillance activities both inside and outside its territory to avoid violating the right to privacy of its citizens and those of other countries	Noted
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On November 6, 2018 the Peoples Republic of China submitted its latest report under the Universal Periodic Review to the UN Human Rights Council. The recommendations of the United States of America were as follows:

United States of America's Recommendations	China's Response
Amend the definition of subversion to remove all exercise of an individual's human rights and fundamental freedoms from its scope	Noted
Abolish all forms of arbitrary detention, including internment camps in Xinjiang, and immediately release the hundreds of thousands, possibly millions, of individuals detained in these camps	Noted
Cease harassment and extraterritorial abduction of human rights defenders and their family members, cease house arrest and travel restrictions for people based on their rights defense work and release those imprisoned for such work, including Tashi Wangchuk, Ilham Tohti, Huang Qi and Wang Ouanzhang	Noted
Cease interference in the selection and education of religious leaders, such as Tibetan Buddhist lamas	Noted

The Special Rapporteur's Reports on Poverty (2017) in the United States and China

Upon reading those recommendations, it can also easily be seen how humility, a principle fundamental to the Spirit of Crazy Horse, can play a role in engaging in a creative dialogue. Thus, each country has its problems and such problems ought to be faced unpretentiously. Continuing with the need to cultivate humility between China and the USA and certainly among countries in general, it appears appropriate at this point to discuss select points by the UN special rapporteurs on poverty in both countries.

The Special Rapporteur on Poverty, Philip Alston, visited the USA in 2017. Following were select concerns pertaining to poverty in the USA: 1) infant mortality rates highest in the developed world; 2) highest incarceration rate in the world; 3) access to sanitation ranks 36th in the world; 4) highest prevalence of obesity in the world; 5) one of the world's wealthiest countries but one that spends roughly 55% on defense; 6) continual denial of economic and social rights, despite insistence that governments recognize human rights instruments; 7) rich are seen as industrious, entrepreneurial, the poor as wasters, losers and scammers; 8) 40 million live in poverty thrust into it by circumstances beyond their control, such as divorce, family breakdown, illness, old age, discrimination, disability; 9) welfare to work can be a scam as factors like automation, self-driving cars, 3d printers, robot staffed factories and warehouses lead to a less supply of jobs; 10) exploitation of Indigenous Peoples having suicide rates roughly ten times the nation average; 11) male dominated legislatures rarely pay attention to the shrink in services to help children of single mother households that have gone up roughly 700% since 1995; 12) counterproductive drug policies, such as imposition of drug tests on welfare recipients; and 13) tax avoidance by the wealthy bearing no rebuke.

The Special Rapporteur on Poverty also visited China in 2017. Select findings were: 1) the richest 1 percent of households own one third of the country's wealth, while the poorest 25% own just 1 percent; 2) whereas the ratio of urban to rural family income was 2.52:1, government

spending has consistently favored urban elites to the detriment of rural dwellers and migrant workers; 3) public transfers reinforce pre-existing inequalities, benefitting the rich more than the poor and the urban population more than the rural population; 4) there is a “hukou” registration system, which disadvantages 200 million migrant workers from the countryside often described as a “subordinate caste”; 5) there tends to be a top-down approach to poverty alleviation and a marginal role accorded to civil society in shaping anti-poverty policies; 6) regarding the situation of people with disabilities there is too much emphasis on welfare and subsidies than guaranteeing their right to education and work to participate fully and equally in Chinese society; 7) despite Mao Zedong’s famous statement “women hold up half the sky,” they get paid much less than men who hold up the other half, thus women in rural households earning 56% of men’s wages and urban households 67% of men’s wages; 8) no mention at all of poverty alleviation in regard to the situation of lesbian, gay, bisexual, transgender, and intersexed populations; 9) of the 56 minorities in China the international media tends to focus almost entirely on the plight of the Uighurs and Tibetans whose situations are “deeply problematic,” but most ethnic minorities are exposed to serious human rights challenges, such as higher poverty rates, ethnic discrimination, and forced relocation; 10) extremely wide discretion of the State to expropriate land in the “public interest” but actually can be for commercial or industrial ventures; 11) great progress in regard to improving access to health care with persons covered by health insurance increasing tenfold from 2003 to 2013 to roughly 96.9 of the total population; 12) the lack of constitutional fiat in regard to the status of human rights treaties in the domestic legal system [in contradistinction to the Supremacy Clause of the US Constitution, mentioned above]; and 13) the lack of a national human rights institution to advise the harmonization of domestic practices with international legal norms. (Report on Poverty in China, 2017)

The major point of both those reports is ultimately that both countries need to acknowledge with humility that they both have problems and engage in a cooperative and creative dialogue to resolve them, thus in a spirit of solidarity. That is, they cannot resolve issues alone, but need help from the entire international community.

Finally, is the notion of “everlasting love,” as exemplified in the Spirit of Crazy Horse. Love then must endure and it is not just “emotional bosh,” as the Reverend Doctor Martin Luther King had stated. It is consistent with the idea of looking at oneself, putting ourselves in the shoes (or moccasins) of the other person. Such values certainly can be found in the Golden Rule, to “treat others as you would like to be treated,” for “all the rest is commentary” as expounded by the Talmud, Shabbat 3id. Finally, other religious and ethical belief systems, many of which have wound their way and became reflected in human rights documents adhere to this fundamental, if not primordial rule. In Confucianism (Analects 12:2) we read: “Do not do to others what you would not like yourself. Then, there will be no resentment against you, either in the family or in the state”; in Buddhism (Udana-Varga 5,1), “Hurt not others in ways that you yourself would find hurtful”; in Islam (Sunnah), “No one of you is a believer until he desires for his brother that which he desires for himself”; and in Taoism (Tai Shang Kan Yin P’ien) “Regard your neighbor’s gain as your gain, and your neighbor’s loss as your own loss” (Teaching values, 2021).

On the Death of Crazy Horse: Thoughts on Moving Toward a Global Human Rights Culture

Crazy Horse died on September 5, 1877 after being bayoneted by a Calvary soldier on his way to a guardhouse on the Sioux reservation. An obituary referred to him as a “spiritual medium and religious enthusiast... and his morals had so stiff an edge... that he never permitted himself to gain any personal advantage from his power” (Timothy Hughes, 2021). Before dying he prophesied that “I will return to you in Stone.” A mountain carving memorial depicting Crazy Horse is today under construction in the Black Hills and as attached to this essay.

Perhaps these words of Crazy Horse are worth pondering as we move toward a global human rights culture with vision, courage, peace, humility, and everlasting love (Pinterest, 2021):

Trouble no one about their religion; respect others in their view and demand that they respect yours. Love your life, perfect your life. Beautify all things in your life. Seek to make your life long and its purpose in the service of your people. Prepare a noble death song for the day when you go over the great divide. Always give a word or a sign of salute when meeting or passing a

friend. Even a stranger, when in a lonely place. Show respect to all people and bow to none. When you rise in the morning, give thanks for the food and for the joy of living. If you see no reason for giving thanks, the fault lies only in yourself. Abuse no one and nothing. For abuse turns the wise ones to fools and robs the spirit of its vision.

This beloved spiritual leader of the Lakota has now passed away, undoubtedly his physical presence no longer with us. However, as the last philosopher of the existentialist school (Bakewell, 2017) Emmanuel Levinas (1906-1995) reminded us death is impossible. One dies certainly in a physical sense, but his/her spirit will live on, embedded in the lives of everyone that person has touched. Also known as the “philosopher of the face,” he reminded us that one’s visage including one’s eyes, do not shine, but they speak (Levinas and Lingis, 1969). There is a monument presently under construction (as depicted in the photo) dedicated to the spiritual profundity of this great man, being built in part as an antidote to Mount Rushmore, which depicts U.S. presidents who were all Indian haters (De Zayas, 2020). In the stone carving of Crazy Horse, one could easily see I think in the gentleness, yet determination of his eyes, his vision and commitment to a socially just world, void of subjugation and genocide, but brimming with peace, humility, everlasting love, vision and courage. Indeed, that spirit ought to be a model and clarion call for all the nations of this world.

Before concluding, it is necessary to mention the difficulty to write as an outsider about fundamental ethical principles of another culture. As I am a “White,” second generation descendant of European lineage (Italian-Polish), it is even more difficult to write about aspects of an Indigenous culture, which my European ancestors by and large have committed genocide against. Furthermore, it is easy to be branded (and perhaps rightfully so) as suffering from hubris as the “white keeper of wisdom” capitalizing on fundamental spiritual principles, in this case, of the Lakota Sioux. In a most egregious sense whites have over the centuries stolen Indigenous land, so why not now steal their spirituality?

But it is here perhaps that we come back full circle to the need for peace, humility, and everlasting love, precepts which I hope I have adhered to in this essay and urge others to do so as well. Finally, I did not live during the so-called “discovery” of what we now call the “Americas,” derived from the name of an Italian merchant and explorer Amerigo Vespucci. Yet, I feel that I, if not all of us, have a duty not only to stop the genocide that began at that time, but also, with humility to learn from cultures that we have previously rebuffed, with an “eye,” vision if you will, for the welfare of future generations. As the acclaimed author of the classic *The Little Prince* and internationalist Antoine de St. Exupery (cited in Wronka, 2017, p. 319) stated: “To be a person is to be responsible; to be ashamed of miseries you did not cause; to be proud of your comrades’ victories; to be aware when setting one stone, that you are building a world.”

In Conclusion: Moving Forward

In the summer of 2020, an 89-year-old Chinese woman was slapped in the face and her shirt put on fire in Brooklyn, New York (Eyewitness News, 2021). The perpetrators were 13, indicted it appears after much reluctance by law enforcement. Much of the public discourse to ameliorating the situation between the U.S. and China is often about discussions between President Biden’s head of the Department of State Anthony Blinken and his counterpart in China, Yang Jiechi. Whereas I do not discount the importance of examining their interchange, it might be misguided.

What is more important I think is how we educate, thus socialize our children consistent with human rights principles of the UDHR, thus in the Spirit of Crazy Horse, particularly Article 26 stating in part: “Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.” Once values are chosen, they are very difficult to change. Were the young teenagers who attacked that defenseless woman, given an education to promote tolerance, friendship, and peace? It is doubtful.

Should they and other students in both the USA and China have an education that, in essence, teaches about human dignity for all, such an education would eventually be reflected by politically elected leaders in their foreign policies. Policies are in the final analysis all about values (Gil, 2013). It would be interesting to see how President Biden’s Miguel Cardona, presently the education commissioner for Connecticut and intended nominee for the Department of Education urges, if not

mandates, educational institutions to adhere to human rights principles, particularly “tolerance and friendship among nations.” While I cannot vouch for educational textbooks in China, I recall how history textbooks in the USA are often divided into periods between wars, such as the Revolutionary War, the Civil War, World War I and World War II. It is as if we were socialized into thinking that violence was a means to solve international conflict, totally contrary to the Spirit of Crazy Horse.

Vision is also substantive to the Spirit of Crazy Horse. Both China and the USA are committed to the vision that the Human Rights Triptych entails, that is, the UDHR, conventions, and implementation measures. They are both members of the U.N. a voluntary organization. Their records of ratification vary. However, they appear to see the importance of moving toward ratification of all conventions, particularly now in the U.S with the Biden administration that wants to reengage with the Human Rights Council. Both the U.S. and China also seem to have “the courage of the eagle,” in that they are not afraid to submit their reports to U.N. monitoring mechanisms and respond accordingly and transparently. Doing so is not “airing out your dirty laundry” as I had said representing the International Association of Schools of Social Work (IASSW, 2015) before the Human Rights Council, but rather a way to truly engage in a creative dialogue between nations. With the U.S.’s reentry to the Human Rights Council and Mr. Yang Jiechi’s words that the US should “work with China to promote the healthy and stable development of China-US relations by upholding the spirit of non-conflict, non-confrontation, mutual respect and win-win cooperation” (China’s top diplomat, 2021) the future appears cautiously optimistic.

Public discourse in the U.S. regarding China’s human rights violations consistently refers to its treatment of the Uighurs, lack of democracy in Hong Kong, and repression in Tibet. Again, I am not entirely privy to what is going on in the China media, but without discounting the importance of those issues, the U.S. ought to acknowledge with humility, as Crazy Horse reminded us on a number of issues. First, its spending on defense is roughly 55% of the entire global spending on this “theft from the poor” as former President Eisenhower said. Then, the U.S. with roughly 5% of the world’s population has 22% of those infected by COVID and the most people in prison per capita, predominately minority groups, in the world. As former President Obama also said “It is shameful” that USA has not ratified the Rights of the Child. 16% of children live in poverty.

Finally, no one wants to be incinerated by nuclear war, live in a polluted world, suffer from hunger or thirst, be unemployed, or be insecure in their old age. Both countries and the global community in fact, ought to engage in mutual cooperation thus fulfilling the Golden Rule to treat others like you would like to be treated and thus realizing the Spirit of Crazy Horse: “peace, humility, and everlasting love.”

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