

THE CHURCHES' ENGAGEMENT IN HUMAN RIGHTS a brief discussion

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Summary

This article surveys the Churches' involvement in human rights primarily in the context of the United Nations. The role of Dr O Frederick Nolde, later an ecumenical observer at the UN, in the development of the Universal Declaration of Human Rights, is highlighted.

The concept of human rights has its roots in the Enlightenment period and in particular John Locke's concepts of the self and the idea of the social contract. These ideas greatly influenced the U.S. "Founding Fathers", especially Thomas Jefferson, and led to the Bill of Rights added to the U.S. Constitution. Obviously, Locke and other Enlightenment philosophers had considerable influence on the development of ideas about the then-called "rights of man" and subsequently on the emergence of more democratic governing structures in Europe. Therefore, the codification of human rights, culminating in the adoption of the Universal Declaration of Human Rights in 1948 by the UN General Assembly, stems primarily from this Enlightenment period even though many aspects of democratic values were implemented earlier than that by the ancient Greeks, among others.

It was the need for a new world order in the aftermath of the atrocities of World War II that motivated world leaders (albeit mostly the victors and clearly not the then-colonized) to seek ways to avoid war through the development of international law. As Canon John Nurser has noted in his essential *For All Peoples and All Nations: The Ecumenical Church and Human Rights*, the 1937 Oxford Conference on Life and Work, as evidenced in its discussion, "Church, State and Community", had a fair degree of influence, as a Christian commentary on the social order, on the post-war discussion of how to realize a more orderly world.¹ And, as Nurser has also noted, the development of the Pillars of Peace by the Federal Council of Churches of the U.S. during the war years, and the involvement of Dr O. Frederick Nolde as a representative of the World Council of Churches in that process, had considerable influence later in the UN's development of the Universal Declaration.²

But, as Canon Nurser has noted, the creation of the Universal Declaration was influenced by the somewhat American concept of "inalienable rights", such that it was proposed by

¹ John S. Nurser, *For All Peoples and All Nations: The Ecumenical Church and Human Rights*, (Washington, D.C. Georgetown University Press, 2005), pp. 19-20.

² Nurser, pp. 57-68.

the State Department to be in the UN Declaration and was ultimately included in the first sentence of the Preamble.³ And, it is very important to note that both the Preamble of the Universal Declaration of Human Rights and its first Article include a reference to the fundamental importance of human dignity.

However, let us establish first what is meant by human rights in terms of international law. A very helpful excerpt from a human rights manual for UN staff outlines the basic concepts:

Human rights are commonly understood as being those rights that are inherent to the human being. The concept of human rights acknowledges that every single human being is entitled to enjoy his or her human rights without distinction as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Human rights are legally guaranteed by *human rights law*, protecting individuals and groups against actions that interfere with fundamental freedoms and human dignity.... Human rights are inherent entitlements that come to every person as a consequence of being human. Treaties and other sources of law generally serve to *protect* formally the rights of individuals and groups against actions or abandonment of actions by Governments that interfere with the enjoyment of their human rights.

The following are some of the most important characteristics of human rights:

- Human rights are founded on *respect for the dignity and worth of each person*;
- Human rights are *universal*, meaning that they are applied equally and without discrimination to all people;
- Human rights are *inalienable*, in that no one can have his or her human rights taken away; they can be limited in specific situations (for example, the right to liberty can be restricted if a person is found guilty of a crime by a court of law);
- Human rights are *indivisible, interrelated and interdependent*, for the reason that it is insufficient to respect some human rights and not others. In practice, the violation of one right will often affect respect for several other rights. All human rights should therefore be seen as having equal importance and of being equally essential to respect for the dignity and worth of every person.⁴

These ideas about inalienability and dignity are a common thread throughout the understanding of human rights that is generally accepted by the international community.

In a recent issue of the *LWF Documentation* series, Dr David Pfrimmer, Principal Dean of the Waterloo Lutheran Seminary in Ontario, Canada, outlines three theological convictions about human rights:

... that people are created in the image of God (*imago Dei*), a recognition of the prevalence of sin, and the mutually responsible vocation of the Churches, governments and civil society in the public sphere.⁵

³ Nurser, p. 148 and <http://www.unhchr.ch/udhr/lang/eng.htm>

⁴ <http://www.ohchr.org/english/about/publications/docs/handbook.pdf>

⁵ David Pfrimmer, *Human Rights as a Public Theology*, LWF Documentation No. 51, The Lutheran World Federation. (Minneapolis, Lutheran University Press, 2006, Peter N. Prove and Luke Smetters, eds.), p. 57.

Pfrimmer goes on to state: "Bearing the 'image of God' implies that people have an inherent and inviolable dignity". He also cites the Church of Norway Council on Foreign Relations' 1975 working paper on human rights to support the second conviction: "The fact that we are all in bondage to sin means that some can exercise their human rights at the expense of others. What is meant for good can be perverted for evil."⁶ On the mutually responsible vocation of church government and society, Pfrimmer says this "arises from their involvement in public life". He notes that rather than merely focusing on one right – such as religious freedom -- "Churches have tried to lift up human rights for all people, pushing the political frontier to understand those rights as both individual and communal"⁷.

The Lutheran World Federation (LWF) and the World Council of Churches, as Pfrimmer also notes⁸, have documented various theological perspectives about human rights over time. Mandated by the Fifth LWF Assembly, a consultation was held in Geneva, Switzerland in mid-1976 which resulted in the publication of "Theological Perspectives on Human Rights" in 1977. Those attending explored theological questions in the field of human rights, human rights in differing cultural, social and political systems, and the Churches' responsibility for realizing human rights. It appears to be the first -- or at least one of the first -- specifically international Lutheran discussions of human rights.

The 1976 LWF consultation noted other significant ecumenical discussions of human rights – the World Council of Churches' October 1974 consultation in St. Pölten, Austria on "Human Rights and Christian Responsibility", and the World Alliance of Reformed Churches' discussion on the "Theological Basis of Human Rights" in London in 1976.

"A Lutheran Reader on Human Rights"⁹, published by the LWF in 1978, was prepared to complement the 1976 booklet. The volume compiled reports and statements by the LWF and its member Churches over the period 1970-77 and also included articles by individuals, the papers delivered at the 1976 consultation and an extensive bibliography on various aspects of the theological discussion of human rights.

In 1980 an inter-confessional consultation took place. Its report, "How Christian Are Human Rights? – An Interconfessional Study on the Theological Bases of Human Rights", includes six papers and agreed findings and recommendations. Fortunately, the findings and recommendations are available online¹⁰. While this meeting did not break much new ground in its conclusions, noteworthy is Dr Carl Braaten's comment on the search for justice and its connection to human rights:

"But how can the ideal of justice act as means of testing what is constitutive of human rights? The core of justice is care for the neighbour. Justice is one form that love takes in the life of society. The sum of the law is: you are to love your neighbour as yourself. If you love your neighbour, you will care for him/her, which means that you will concern yourself for his/her basic rights".

⁶ Idem.

⁷ Ibid., p. 58.

⁸ Idem.

⁹ "A Lutheran Reader on Human Rights", LWF Report 1+2/1978, Jørgen Lissner and Arne Sovik, Eds., The Lutheran World Federation, September 1978, Geneva, Switzerland.

¹⁰ The theological basis of human rights – Report of a limited research project, 1980, World Alliance of Reformed Churches (<http://warc.ch/dt/erl2/01b.html>) Accessed February 25, 2009.

These discussions took place in the midst of the Cold War but after the Final Act of the Helsinki Conference on Security and Co-operation in Europe (CSCE) was signed (1974), arguably the first thaw in the Cold War.¹¹

With this focus on religious freedom, the work of the churches on human rights came back full circle in the sense that one of Dr Fred Nolde's important contributions to the development of the Universal Declaration (UDHR) was on this particular aspect of human rights.

As Nurser makes clear, Nolde's contribution should be seen in its ecumenical, as compared to Lutheran, context because Nolde's involvement was rooted in the emergence of the modern ecumenical movement, and in his fundamental role in establishing the Churches' monitoring role at UN headquarters while he was the first director of the Churches' Commission on International Affairs - soon thereafter and still, an entity within the World Council of Churches.

Nolde attended a study conference on international affairs in Ohio in 1942 and this led to his connections with the Federal Council of Churches' Commission to Study the Bases of a Just and Durable Peace and service with the Joint Committee on Religious Liberty, an effort of the FCC and the Foreign Missions Conference of North America.¹² Nolde's work with the Just and Durable Peace Commission and the Religious Liberty Committee led to his work on human rights more generically.¹³ It also led to his collaboration in efforts by Church leaders during the Second World War to engender support for the idea of a new and stronger international organization. Nolde was a critical player among the non-governmental organization (NGO) representatives present at the UN organizing conference in San Francisco. It was there that he successfully argued for the provision of a Commission on Human Rights in the Charter as well as for UN relations with NGOs.

As Nurser describes, a common thread in the development of the UDHR was the growing interest within the modern ecumenical movement, on the one hand, to have a role in promoting peace in order to avoid in future the horrors it experienced prior to and during World War II and, on the other hand, the interest among world leaders who were also Christian, to do the same. One whose role bridged both was John Foster Dulles, later the U.S. Secretary of State for President Eisenhower, who, in the course of events became a close friend of Nolde and, arguably, a supporter of his involvement in the UN's codification of human rights. This is worth noting not only for its historical significance of connecting the powerful with the emerging modern ecumenical movement but also for its contrast with our current international political circumstances where the Churches' role, especially at the UN, has diminished in influence over the years. This difference is largely attributable to the matter of who was at the table in 1945 and who is there now – two very different sets of nation state actors and NGOs.

In the period from 1945 until the adoption of the UDHR in December 1948, Nolde worked for that document's realization in earnest alongside Eleanor Roosevelt, the first chair of the Commission on Human Rights.¹⁴ It was in that larger context that Nolde made his famous contribution of the text that would become Article 18:

“Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to

¹¹ See also “An ecumenical experiment in human rights” Theo Tschuy, Geneva, 1985, Churches' Human Rights Programme for the Implementation of the Helsinki Final Act.

¹² Nurser, pp. 41-42.

¹³ Ibid., p. 94.

¹⁴ Ibid., pp. 143-169.

manifest his religion or belief in teaching, practice, worship and observance”.

Nolde’s contributions to the ecumenical movement and its promotion of human rights did not end there. Indeed, he continued to lead the WCC’s office at the UN and be perhaps the most influential NGO representative there until his retirement in 1969.¹⁵

While Nolde’s contributions were unique, he laid the groundwork for ecumenical and Lutheran efforts to promote human rights that have continued over the years.

¹⁵ Ibid., p. 29.