

HUMAN RIGHTS AS A CHALLENGE TO THE CHURCHES: protecting human dignity by promoting human rights and the rule of law

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Summary

All human beings have the right to human dignity – and human dignity must be protected by human rights, evolving accordingly as human dignity is threatened in never-changing ways. The Churches have come to reread their own traditions in support of this imperative – Old and New Testament – without claiming exclusivity of motivation in this mission, but with more leeway for manoeuvre than state actors, and strong reference points for clarifying contested interpretations. Today's challenge is especially for the Church to support the individual faced with the overwhelming power of globalisation, and with increasing poverty; and to raise the alarm where necessary.

1. All human beings are born free and equal in dignity and rights (Art. 1 - Universal Declaration of Human Rights)

Human dignity and human rights belong together and are indivisible. It is not just by chance that the Universal Declaration of Human Rights was passed by the United Nations (UN) on December 10th 1948, only a few years after the end of the Second World War when more than 56 million people died, six to seven million Jews were murdered and innumerable other criminal acts were committed.

It seemed that after the unbelievable crimes of National Socialism and their repercussions and consequences throughout the world, for the first time in history the time had come to establish universal and indivisible rights for all human beings and to make these an integral part of international law.

The experience of acts of debasement and degradation many million times over led to the growing conviction that human dignity must be protected by human rights, and that all human beings have the right to human dignity, irrespective of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

In view of the present challenges facing the world community more than 60 years after the adoption of the Universal Declaration of Human Rights, it is helpful to remember what global answers were given to the global challenges of terror and injustice at that time, which today still form the basis for our rule of law. It is necessary to continue to re-

interpret these and to develop them further, in response to the prevailing threats to human dignity that we encounter in old and new forms in our changing world today.

The Preamble of the Universal Declaration of Human Rights states:

"Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people, now, therefore the General Assembly proclaims this Universal Declaration Of Human Rights, article 1: **All human beings are born free and equal in dignity and rights**".

The commitment to guarantee life in dignity and to uphold human rights is the duty of states. It is their task to establish the rule of law and to maintain it. It is essential to maintain absolutely the universality and inalienability of human rights whenever any attempt is made to relativise them. Nor may civil and political rights be played off against economic, social and cultural rights or vice-versa; they are both dependent upon each other. The importance of social rights is particularly of note to the Churches, on account of their own biblical traditions.

2. "But let justice roll down as waters, and righteousness as a mighty stream." (Amos 5, 24)

Although the Churches remained rather sceptical and disapproving of human rights until the end of the Second World War, they then became actively involved in the discussions about the formulation of the Universal Declaration and in the continuing process of its implementation. This particularly applies to the World Council of Churches, which was able to exert direct influence on certain formulations of the Declaration through its Commission for International Affairs. All this took place against the background of a growing awareness of solidarity within the Church's own global community, whose members in many countries in the South, but also in the Eastern Block countries at that time, were affected by human rights violations and poverty. The Churches took up the challenge to themselves as a global and yet at the same time local community of people, to stand up together against injustice, exclusion and violence. They raised their voices to admonish and protest to governments and the community of states on behalf of the victims of human rights violations.

In this way the Churches re-discovered their own traditions and learnt to read them in a new way. Today they consider it their job to protect the dignity and human rights of people throughout the world, as a contribution in accordance with the core message of the good news of God's revelation in Jesus Christ. In 1977 Emilio Castro, General Secretary of the World Council of Churches from 1985-1992, expressed this very pointedly in the following way:

"God invites every creature to new life in him, and the Church is sent into the world to struggle against everything which keeps that invitation from being presented to them and everything that hinders their freedom to respond to it. The freedom to respond to God implies more than what is normally called religious freedom, or even political freedom. The freedom to respond to God implies the liberation of man from everything that enslaves him, that deprives him of the possibility of standing as a free human being before God. Freedom from hunger, from want, from fear are aspects of that liberation.

Such liberation creates community. ... 'Human rights' is not just the slogan of the political activist; it sums up the Christian missionary imperative."

The God of the Bible as encountered by Israel, is a God who leads from slavery to freedom, who on the way through the desert towards this freedom gives his people laws and legal statutes for a life in freedom, and with the gift of land guarantees the material foundation for a life in community with God and other human beings. It is not through violence and terror, but through justice and peace that Israel and Christianity shall become the "Light of the Nations".

It is remarkable in this context that Old Testament law is oriented particularly towards the well-being of the weak, in other words it declares precisely what we today understand as economic and social human rights to be the yardstick for justice and righteousness. Women and children, in as far as they are widows and orphans, are included among the groups of persons to be given special protection. "Thus saith the Lord: Do justice and righteousness, and deliver from the hand of the oppressor him who has been robbed. And do no wrong or violence to the alien, the fatherless, and the widow, nor shed innocent blood in this place" (Jeremiah 22,3). God will give justice to those who live in injustice. "He shall give judgement for the suffering and help those of the people who are needy; he shall crush the oppressor" (Psalm 72,4)

"But let justice roll down as waters, and righteousness as a mighty stream." These words of the Prophet Amos (5,24) express God's just intent for a social community called to a life in freedom, and it is the representatives of the state with the King at their head, who are made responsible before God that this law shall be applied.

The prophetic criticism is directed in very harsh words against perversions of the course of justice, corruption, exploitation of the poor, the selling of people into slavery, fraudulent profit and other crimes, in the face of a growing gap between the rich and the poor. Almost 3000 years after Amos, these phenomena that exclude people and prevent a life in dignity are not new, even if they come to us today in a global context.

In the New Testament God comes to us in the person of Jesus of Nazareth. He is the true image of God. Through his death and resurrection we are freed from guilt and have a share in a new life in dignity and freedom. In his image all people - Jews and Christians, women and men, rulers and servants become brothers and sisters (Galatians 3,28). The sanctity of all people and their inviolable dignity is grounded in Christ and in our relationship to him. For in his life and message Jesus directs us to act mercifully and in a healing way towards our neighbours, especially towards the weakest and most threatened members of the community, to protect them and give them back their dignity and rights. A good example of this is the parable of the Good Samaritan that Jesus told, where the Samaritan gave help despite barriers of nationality and religion.

"We are all one in Christ Jesus. And when we truly believe in the sacredness of human personality, we won't exploit people, we won't trample over people with the iron feet of oppression, we won't kill anybody." That was what Martin Luther King preached in a Christmas Sermon on Peace in 1967, in which he spoke out strongly against racial discrimination and justified the dignity of all human beings, and therefore his no to discrimination, with our fellowship and community in Christ.

It is with this understanding of dignity and justice that come from God, and God's liberating and merciful action towards us, that Churches participate in discussions to bring about peace and justice in the age of globalisation. However the Churches do not exclude any other religiously or secularly motivated justification for action, but rather consider them constructively and are open for alliances and coalitions to enforce the implementation of human rights and the protection of human dignity wherever they are threatened. In the prophetic tradition Churches will raise their voices wherever people suffer injustice and violence. They will remind governments and states of their

responsibility to enforce the rule of law and to make a life in dignity possible for all people.

3. Current challenges for the Churches to stand up for God's justice and righteousness.

In many countries people suffer today under conditions such as the prophet Amos described 3000 years ago. For example people in the Philippines are executed on account of their political convictions. The perpetrators are suspected in government and military circles and the judiciary fails to search for the perpetrators. In Congo, countless women are raped and children misused as soldiers, while perpetrators need hardly fear that they will ever be called to accountability. Under such circumstances there is hardly any chance that state structures will be set up to protect the poor and to implement law and order.

In this period of financial and economic crisis the millions of poor people in Cameroon, Namibia, Tanzania and elsewhere have even less chance of an improvement in their situation.

In many countries today, while human rights are recognised on paper they are insufficiently protected in practice. Often the states lack the will or the means to implement justice in face of corruption and a lack of resources.

In Germany people are asking whether the state is fulfilling its duty to enable life in dignity and to enforce the rule of law, in view of a collapsed finance and banking system with its excessive profit seeking, golden handshakes and incomes of millions for managers and the liberalisation and abolition of regulations and laws in this field. Everyone now has to bear the consequences, especially of course those who lose their jobs or were already on the fringe of society before this. Churches have also criticised the states of the European Union for the way they deal with refugees, who are drowning in their thousands in the seas around Europe's coasts, and they have demanded the protection of refugees and more correct behaviour towards them.

Further challenges for current work on human rights can be listed as follows: the undermining of the ban on torture by the USA in its "War against Terror"; the limitation of the right to freedom of speech by Islamic countries, who refer in an unacceptable way to the right of freedom of religion, thereby turning the individual right into a right of the religion itself; the political instrumentalisation of human rights by various groups of countries in the Human Rights Council of the United Nations.

In view of this situation, it is and remains part of the mission of the churches with their proclamation of the liberating message of the Gospel, to protect human dignity, to stand up for human rights and to remind those in power of their duty to ensure that there is justice and peace.

There can be no going back on the Universal Declaration of Human Rights or the Agreements and Conventions for the protection of human dignity that have so far been passed by the United Nations. We must make far more effort to develop further the norms for the international protection of Human Rights, and in particular to do away with the great deficits in their enforcement. At the same time it is necessary constantly to debate and justify anew the basis for the universality and indivisibility of human rights in discussions with other religions and ideologies, to work against fundamentalist tendencies within our own and in other religions and ideologies, and to seek for common convictions. In this context the question of religious freedom for the Churches is of particular importance.

Today the Churches face the task of opposing clearly any undermining of the standards for human rights, naming states that violate human rights or indirectly contribute

towards it, and campaigning for the setting up of international structures for the protection of human rights that are capable of coping with current global challenges.

In the process of globalisation private protagonists and huge national and internationally operating companies and banks have gained a position of power that limits the scope of action of individual states and has dramatic effects on the living conditions of people throughout the world. Not only people in countries of the south but also people in Europe see themselves more and more as victims of globalisation, when jobs are lost or people have to live and work in production under inhuman conditions. As in 2008 at an international conference of the 'United Evangelical Mission, Communion of Churches in Three Continents' on Justice, Peace and the Integrity of Creation held in Batam/Indonesia, Churches are raising their voices and demanding that companies, banks and international institutions such as the World Bank and the IMF effectively assume their part of responsibility for human rights.

Given that this year the number of hungry people in the world will reach the billion mark, and that over 30,000 children die every day of sicknesses that are curable, extreme poverty remains one of the greatest challenges preventing a life in dignity.

The Churches welcomed the fact that in the year 2000, 189 states committed themselves to halving poverty throughout the world within 15 years. Due to the consequences of climate change and the international financial and economic crisis, the achievement of this goal has been pushed back into the distant future. The Churches will continue to speak out emphatically for more to be done to abolish poverty. How much more could be done, if only a fraction of the money that is now being pumped into securing the financial systems were to be made available for fighting poverty, for education, health care and rural development!

These examples show that human dignity and human rights can only be protected effectively where there are structures under the rule of law, and where the state does not violate human rights through absence, looking the other way, toleration or even active support. For this reason the Churches will speak out for the setting up of state structures where necessary, and will warn people that there is a danger of the state being weakened where its scope of action to guarantee the law and to protect human dignity is reduced. In doing this the Churches can and must refer back again and again to their own fundamental principles stemming from God's liberating action and God's will for justice and righteousness for the world. When the Churches understand this they can give good reasons for the cause of human dignity. Based on God's commandment they will explain the task and the duty of the state to protect human dignity and to enforce human rights.

In 1977 Emilio Castro named the championing of human rights as the missionary imperative for the Churches. I believe that this is still valid today. The Churches in the worldwide ecumenical movement should stand in their mission work on the side of those who have fallen among robbers. They have to remind those in power of their responsibility to respect human dignity and to enforce human rights. At the same time Church people have to stand together with those in our societies who suffer and are in need. They do this by sharing and helping others, by showing sympathy and fellowship to them and through intercessions and trust in God, to whom they pray: "Your kingdom come. Your kingdom of justice and of peace."

References:

- Emilio Castro, Human Rights and Mission, IRM 56 / 263, (1977) S. 215f
- Wolfgang Huber, Gerechtigkeit und Recht. Grundlinien christlicher Rechtsethik, (1996)
- Martin Luther King, A Testament of Hope. The Essential Writings of Martin Luther King Junior, hg. v. J.M. Washington, (1991) - Zitat ebd. A Christmas Sermon on Peace (1967) S. 255 (Zitat übersetzt von Jochen Motte)

- Jürgen Moltmann, Christlicher Glaube und Menschenrechte, in: "...erkämpft das Menschenrecht". Wie christlich sind die Menschenrechte?, hg. v. Eckehart Lorenz, (1981) S. 15-35
- Jürgen Moltmann, Gott im Projekt der modernen Welt. Beiträge zur öffentlichen Relevanz der Theologie, (1997)
- Jochen Motte, '50 Jahre Allgemeine Erklärung der Menschenrechte'. Obwohl mühsam und nicht ohne Rückschläge, der Prozeß zur Durchsetzung der Menschenrechte geht weiter, in: "Schaffet Recht und Gerechtigkeit". 50 Jahre Allgemeine Erklärung der Menschenrechte, hg. v. Martin Breidert u. Jochen Motte, (1999) S. 59-64
- Jochen Motte, Kirchliches Engagement für die Globalisierung der Menschenrechte, in Jahrbuch Mission, (2005) S. 220-230
- John S. Nurser, For all Peoples and all Nations. The Ecumenical Church and Human Rights, (2005)
- Christian Tomuschat (Herausgeber), Menschenrechte. Eine Sammlung internationaler Dokumente zum Menschenrechtsschutz, hg. v. Christian Tomuschat, DGVN Texte 42, 2/2002
- Hannes Tretter und Franz-Josef Hutter; Menschenrechtliche Verantwortung zwischen staatlichen und privaten Akteuren, in: Jahrbuch Menschenrechte. Privat oder Staat? Menschenrechte verwirklichen!, hg. v. Deutschen Institut für Menschenrechte u. a., (2006) S. 17-28
- Wolfgang Vögele, Menschenwürde zwischen Recht und Theologie. Begründungen von Menschenrechten in der Perspektive öffentlicher Theologie, (2000)
- Christian Waldhoff, Menschenwürde als Rechtsbegriff und Rechtsproblem, in: EvTh 66, (6/2006) S. 425-439
- Dietrich Werner, Mission und Menschenrechte: Missionsgeschichtliche, ökumenegeschichtliche und gemeindepraktische Perspektiven, in: Menschenrechte und Entwicklung. Beiträge zum ökumenischen internationalen Dialog, hg. v. Lothar Brock, (1996) S. 91-113
- Dieter Witschen, Christliche Ethik der Menschenrechte, Studien der Moraltheologie Bd. 28, (2002)