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The Right to Be Human: The Responsibility to Relate to Individuals and People Groups with Dignity and Respect

The classification of rights into generations has given legitimacy to group rights - minority rights, religious and nonreligious minorities, indigenous people groups rights, all entities which share the social space.

Group rights figure in the UN Covenants as human rights. Experts designate minority rights as “third generation” human rights. The first generation focused on political and civil rights, the second on socio-economic rights. Both sorts of rights focused on individuals as bearers of rights. The third generation is also called “solidarity” human rights. It “includes rights to goods such as development, peace, a healthy environment, communication, humanitarian assistance, and a share in the common heritage of mankind.”¹ The rights of indigenous people as collective rights are described as the “fourth generation” of human rights).²

The foundational postulate of the following reflection is the following: The first human right is the right to be human, to be related to with respect and treated with dignity. Without this premise, the issue of rights loses its necessary foundation. The challenge in the experience and implementation of any human right is primarily the undergirding ill of misrepresenting others by denying them of their full humanity, inseparable from the inherent dignity of every person. Violence, for example, against others begins by demeaning people’s worth or dignity.

The second premise is the fact that minority status should not translate into ontological inferiority.

Violations of these two principles are the root causes of much suffering in our world in the past and today.

The rights of minorities are best envisioned when grounded on the rights of individuals: every person in any given people group. Group rights are extensions of individual rights. Social and international order are anchored in individual rights as intimated in article 28 of the UDHR.

The universal declaration of human rights (UDHR) came into being at a critical junction in human history. The inhumanity displayed during WWI and WWII, the Holocaust and the various genocides, colonialism and the plundering of resources around the globe compelled the human family to face the fact that there was an urgent need for a consensus document to clearly define and adopt a universal moral compass to guide humanity in interpersonal, social, international, and geopolitical relations. The family of nations reached a critical moment when a vital and robust response was needed, so that the atrocious treatment of human beings would never occur again, never again.

What was at stake was the survival and protection of the very notion or reality of what it means to be human and the basic responsibilities towards every person. This aspect must not be seen as secondary to the associated concept of rights. The issue is more profound than legal or legislative considerations. It is larger than mere restoration of rights. A consensus around a new vision was to be agreed on regarding what it means to be human and humane.

This is critical. When people agree that human rights are important, emphasis is placed on the “rights” aspect. Most certainly, the emphasis on the “rights” aspect of human right is urgent, necessary even in light of the numerous violations of human rights. But the most foundational dimension is the “human” dimension.

Even a cursory look at what came to be known as the 9 core treaties reveals a needed attempt to set boundaries in reference to what is unacceptable in the way human beings are treated. The ills and injustices that plague every

¹ <https://plato.stanford.edu/entries/rights-group/#GroRigIndRigCoExiCom>

² “A large proportion of the rights set out in the UN’s Declaration of the Rights of Indigenous Peoples, 2007, are collective rights.”
<https://plato.stanford.edu/entries/rights-group/#GroRigIndRigCoExiCom>

society entail discrimination, unjust economic disparities, violation of people's physical integrity, violence, and even deprivation of the right to live a peaceful life.

UN key documents began to immerge. Political consultations led to several covenants, treaties, and declarations. Specifically, what is now known as the 9 Core International Human Rights Treaties were signed after WWII when the dark inhumanity of war caused the loss of 60 million lives.

“Of the many human rights instruments drafted under its auspices, the UN has designated nine of them as [core international human rights treaties](#). They include a treaty on civil and political rights; a treaty on economic, social, and cultural rights; treaties to combat racial and gender-based discrimination; treaties prohibiting torture and forced disappearances; and treaties protecting the rights of children, migrant workers, and persons with disabilities.”

1. [International Convention on the Elimination of All Forms of Racial Discrimination](#) (21 Dec. 1965) (ICERD)³
2. [International Covenant on Civil and Political Rights](#) (16 Dec. 1966) (ICCPR)
3. [International Covenant on Economic, Social, and Cultural Rights](#) (16 Dec. 1966) (ICESCR)
4. [Convention on the Elimination of All Forms of Discrimination Against Women](#) (18 Dec. 1979) (CEDAW)
5. [Convention Against Torture and Other Cruel, Inhumane or Degrading Treatment and Punishment](#) (10 Dec., 1984) (CAT)
6. [Convention on the Rights of the Child](#) (20 Nov. 1989) (CRC)
7. [International Convention on the Protection of the Rights of Migrant Workers and Members of Their Families](#) (18 Dec. 1990) (ICMW)
8. [Convention on the Rights of Persons with Disabilities](#) (13 Dec. 2006) (CRPD)
9. [International Convention for the Protection of All Persons From Enforced Disappearances](#) (20 Dec., 2006) (CPED)

For each of these core treaties, the UN has established a **panel of independent experts**, known as a **treaty body**, that is responsible for monitoring the implementation of the treaty by the state parties that have ratified it.⁴

Several government and non-government organizations committed themselves to working to build peace, overcome hostility, antagonism, conflicts and to mediate to avoid wars.⁵

³ The following words inscribed in the Convention on the elimination of all forms of racial discrimination are meaningful.

“Considering that the United Nations Declaration on the Elimination of All Forms of Racial Discrimination of 20 November 1963 (General Assembly resolution 1904 (XVIII)) solemnly affirms the necessity of speedily eliminating racial discrimination throughout the world in all its forms and manifestations and of securing understanding of and respect for the dignity of the human person,

Convinced that any doctrine of superiority based on racial differentiation is scientifically false, morally condemnable, socially unjust and dangerous, and that there is no justification for racial discrimination, in theory or in practice, anywhere,

Reaffirming that discrimination between human beings on the grounds of race, colour or ethnic origin is an obstacle to friendly and peaceful relations among nations and is capable of disturbing peace and security among peoples and the harmony of persons living side by side even within one and the same State,

Convinced that the existence of racial barriers is repugnant to the ideals of any human society....”

⁴ There are ten human rights treaty bodies that monitor implementation of the [core international human rights treaties](#):

[Committee on the Elimination of Racial Discrimination](#) (CERD)

[Committee on Economic, Social and Cultural Rights](#) (CESCR)

[Human Rights Committee](#) (CCPR)

[Committee on the Elimination of Discrimination against Women](#) (CEDAW)

[Committee against Torture](#) (CAT)

[Committee on the Rights of the Child](#) (CRC)

[Committee on Migrant Workers](#) (CMW)

[Subcommittee on Prevention of Torture](#) (SPT)

[Committee on the Rights of Persons with Disabilities](#) (CRPD)

[Committee on Enforced Disappearances](#) (CED)

⁵ Paradoxically, even laws of warfare which were supposed to limit abuses against the core humanity of even an enemy, have been used outside the undergirding premise.

Multilateralism gained a considerable boost in the aftermath of the world wars. It has become an era with renewed focus of the importance of the human person.

I would like to submit to your attention that the common denominator of all the mentioned covenants, conventions or treaties in general is the goal of first delineating, affirming and promoting the human aspect in the expression “human rights.”

Men, women, children are full human beings. None should be discriminated against or violated in their physical, emotional, intellectual, spiritual and social integrity. None should be coerced into believing something against the dictates of their conscience. None should be victims of violence, torture, inhumane or degrading treatment and punishment. Human dignity precludes the debasement of any human being. Moreover, equality should be upheld on behalf of all human beings. That is part of what it means to be human.

Throughout human history, this right to enjoy one’s full humanity has been denied to persons of every society. The violations of the rights of minorities are rooted in the demeaning of their personhood by postulating their alleged inferiority.

The Right to be Human: Human Dignity and Human Conscience

Human Dignity

The right to be human is anchored in the core characteristic of what it means to be human. What it means to be human is inseparably connected to human dignity.

Heiner Bielefeldt, previous UN special rapporteur on freedom of religion or belief, states, “Human dignity constitutes the very precondition for any normative interaction among human beings within and among societies. At the same time, the concept of human dignity has a long history and it strongly resonates within most religious and cultural traditions, including the Bible, the Qur’an, the works of Confucius, or Stoic philosophy, to mention a few examples.” He concludes, “This denotes the possibility that human dignity could become the center of an overlapping normative consensus shared by people from different religious or non-religious backgrounds, who otherwise may continue respectfully to disagree on many questions of ultimate concern.”⁶

Because of the overwhelming presence of the concept of human dignity in religious and philosophical traditions, it can be recognized as playing a defining role in what it means to be human. In other words to be a human being means among other things to be endowed with dignity.

Another key justification to the right to be human is the importance and significance of human conscience.

Human Conscience

Human conscience is the inner sanctum, the most sacred space in each person. Conscience is the locus of moral property, a capacity to think, to evaluate, to make decisions according to the dictates of one’s own convictions. Furthermore, not only consciousness but conscience is the foundation for human dignity.

Conscience can be identified as the justification for human rights. It can be called the right to rights.

Highlighting the pivotal position of freedom of conscience is justified in the sense it could be called a pre-right, or a precondition for human rights.

Human conscience and human dignity converge in the need to promote the adoption of the human dignity of every person and freedom of conscience.

⁶ Heiner Bielefeldt. “Misperceptions of Freedom of Religion or Belief,” in *Human Rights Quarterly* 35 (2013), 68. See also Ari Kohen. An Overlapping Consensus on Human Rights and Human Dignity.” In *Human Rights at the Crossroads*. Edited by Mark Goodale (Oxford: Oxford University Press, 2013), 61-71.

On Freedom of religion or belief

In the context of our reflection on the rights of minorities, it is fitting to specify that,

At some point in time, in European history, when the treaty of Westphalia was ratified, Religious liberty was mainly conceived as the right of the majority, not the right of minorities. *Cuius regio eius religio*.

We have come a long way, but with new challenges. In a sense, freedom of religion or belief is the necessary condition for the existence and enjoyment of other fundamental human rights.

Religious freedom is the *sine qua none* of living freely. You may allow me to vote, own property, and associate freely in the public square in every other way. But if you do not permit me to speak and to act on those beliefs that ultimately define who I am and why I am on this earth, then the other freedoms mean little. In a very real sense, then, all human freedoms depend on the freedom of religion.⁷

Religious freedom is a sign posted in human relations against the dehumanization of others.

At its core freedom of religion or belief is a compound freedom. It contains other freedoms. It presupposes freedom of thought, of choice, of expression, of association and assembly. It establishes human conscience as a most precious entitlement. Freedom to choose one's own signs, symbols, rites and rituals.

This freedom is then inseparable from the human aspiration of justice. The right to be human is inseparable from the right to justice, the right to freedom and ultimately the right to peace.

Plato's Republic was essentially an inquiry into the meaning of justice. Today the popular imagination focuses on what is called social justice. But justice at its core is made for humans, not humans for justice one could argue. Justice establishes the fundamental requirements to honor first the dignity of human beings and then the rights of every person, regardless of race, age, gender, or circumstances whether social, economic, or educational. The very fact of being a human being is sufficient to qualify for a right to justice. In this sense the right to be human is the foundation to the right to justice.

Racism and its Criminal Consequences

As one of the lingering consequences of the deprivation of the status of being fully human, racism, with its core presupposition of the alleged inferiority of people of African ancestry, is the challenge of our times. Until it is deconstructed, debunked and dismantled and purged from our personal, interpersonal, and from its systemic presence in our societal structures, human beings cannot enjoy the gift of freedom which in turn is a prerequisite for love to flourish in peaceful coexistence. This dismantling begins with every person's mental landscape in order to restore the fundamental equality of all human beings. This must not just be in our declarations of independence or constitutions, it must be lived and experienced in interpersonal, administrative, sociocultural entitlements and in the judicial systems.

The historic injustices against people of African descent should not be used as proof of inferiority as was done during the brutal time of conquests and subjugations of population in the African continent. The various slaveries that have occurred are crimes against humanity. They have nurtured the idea Black people are cursed through the mark of Cain and the curse of Ham.

The despicable slaveries of people of African descent from the 7th century on by Arab Muslims and then by the Europeans from the 15th century on have not only depleted the African continent from its populations but have perpetrated the belief in the inferiority of Africans. Those along with others are outlined here:

1. The trans-Saharan
2. The oriental
3. The intra-African
4. The transatlantic
5. The forced labor of a whole population as in the So-called Free State of Congo
6. The domestic servitude of Blacks around the world
7. Human Trafficking of women, children and men, all African migrants. Recent horrors in North African Mediterranean countries testify to this evil.

⁷ (<https://answptest2.dreamhosters.com/2012/08/07/religious-freedom-necessary-other-freedoms-flourish/>)

To get a glimpse of the toll of deportation, suffering and death, consider the following:

The deportation of Africans to various horizons by Arabs, Europeans, and by other Africans has been the evil of evils. The most conservative number of people reduced to slavery and exported is bewildering: 29 million persons were exported from black Africa as slaves-12 million by the trans-Atlantic slave trade, 9 million by the trans-Sahara slave trade, and 8 million from the East African coast.

These numbers do not include those who died during these dehumanizing journeys. These are estimated at 2 million individuals.

Moreover, these numbers do not include either the forced free labor or killings of millions of inhabitants of the so-called Free Congo annexed by the Belgian king Leopold II during an arrangement made at the infamous Berlin Conference in 1884, when the partition of Africa took place.

In the America, where the Black Lives Movement began, Black people have experienced the horrors of slavery, the debilitating effects of segregation and the reduction to the condition of being legally subhuman without rights. The paralyzing effects of Jim Crow laws after the Reconstruction⁸ all send the clear message that black lives don't matter.

These dehumanizing practices have contributed to perpetuating the notion of the inferiority of Black people, or more broadly all supposed people of color.

The legitimization of such crimes, the prejudice that assumes the inferiority of Black people has deep religious roots. Several partisans of the reduction of peoples of African descent into slavery evoke the Bible to justify this traffic.

They consider the so-called anathema or curse against Ham and his descendants by Noah as proof that Africans, descendants of Ham, are by nature inferior to other peoples, and were predestined to the condition of slaves.

This biased presupposition has been nurtured by religious myths present in all monotheistic traditions that postulate a curse on black people, from the Talmud to Christian and Muslim writers.

The partisans of slavery trades have evoked the so-called curse of Ham to justify this ignominious traffic of millions of people of African descent. Some would add wounds to injuries in adding the alleged curse and mark of Cain.

The stigmatization of Black people as inferior is the root cause and the main feeding ground for the evil of racism. Essentially, it is denying Black people the status of being fully human.

The International community ratified a major document which makes it clear that racism is unacceptable. Article 1 of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) convention stipulates the following:

“In this Convention, the term "racial discrimination" shall mean any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.”

Unless every person's humanity is fully recognized, the disease of racism, at personal, systemic and structural forms will continue to plague human relations bringing toxicity and corruption to peaceful coexistence.

Obviously, in several cases, this issue also lurks behind the violations of minority rights. When and if the full humanity of all citizens of the world is genuinely embraced then their tribal, clan, regional or national allegiances would not be seen as liabilities. Ultimately, peaceful coexistence is only possible when the humanity of every person, whether alone or in a group is recognized and celebrated.

⁸ “Jim Crow” came to be a derogatory term for African Americans, and in the late 19th century it became the identifier for the laws that reinstated [white supremacy](#) in the American South after [Reconstruction](#). The demeaning character symbolically rationalized [segregation](#) and the denial of equal opportunity.”

Violence born in the mind of the racist, starts with the harboring of supremacist ideologies and worldviews. If entertained, it can lead to the desire to eradicate the person deemed inferior. The phenomenon is ultimately the genesis of genocide. The elimination of a given minority group from the face of the earth.

What is to be human?

This is obviously a complex question, that requires a multidisciplinary inquiry into philosophy, psychology, genetics, physics, neuroscience and many other fields of study. We will use the lenses provided through the- anthropology. This particular lens provides a useful entry into moral philosophy and ethics.

One of the most pressing questions is the understanding of what it means to be human. Archbishop Rowan William insightfully expressed this problematic as follows:

“If there is one great challenge for our day, it is the pervasive sense that we are in danger of losing our sense of the human.”⁹

He highlighted the correlation between the loss of God and the loss of the sense of the human. A foundational correlation exists between relating to God and relating to humans. This is firmly established in the Christian Scriptures indicated by what the Apostle John wrote “If someone says, ‘I love God,’ and hates his brother, he is a liar; for the one who does not love his brother whom he has seen, cannot love God whom he has not seen. And this commandment we have from him, that the one who loves God should love his brother also” (1 John 4:20-21).

In this perspective, love is ultimately the test of our humanity. The Judeo-Christian Scriptures postulate that “God is love.” Love is also the ultimate sign of our humanity.

To be human is inscribed in the vocation of love. It is also to be endowed with dignity, infinite worth. The whole Christian discourse of “God so loved the world” would turn into a masquerade if every human being, every human life is not associated with infinite value, irreducible to mercantile categories. Humans are therefore sacred and highly valued by God. Even further, humans are loved by God.

The discourse according to which humans are representatives of God would translate into meaninglessness if human beings are treated with indignity.

When human conscience and human dignity are given their due importance, humanity flourish.

If the first human right is the right to be human, we can also postulate that full humanity is reached when our responsibility to love God and to love our neighbor become the perennial school where we grow to be who we are all called to be: blessings to one another and mutual agents of freedom, love and peace.

The rights of minorities are built upon the foundation of the right to be human. Humans have the vocation to be treated humanely and with respect and dignity. This finds fulfillment when true equality, not just before the law, but more comprehensively as it relates to another human being, becomes reality.

⁹ Rowan Williams. *Being Human: Bodies, Minds, Persons* (Grand Rapids, MI: William B. Eerdmans Publishing Company, 2018), p. 25.