

DOCTRINAL STATEMENTS AND THEOLOGICAL OPINIONS (DSTO)

VOLUME 2

H. ETHICAL AND SOCIAL ISSUES

Human rights

Adopted by the Commission on Theology and Inter-Church Relations, 20 April 1994.

Edited September 2001.

INTRODUCTION

1. The concept of human rights is based on two convictions: that certain actions against other human beings are wrong no matter what; and that in all circumstances all people are entitled to respect and proper treatment as human beings

HISTORICAL DEVELOPMENT

2. The expression 'human rights' is relatively new. It came into everyday use only after World War II with the founding of the United Nations in 1945. It replaced the phrase 'natural rights' (which was used particularly in the 17th and 18th centuries) and the later phrase, 'the rights of man'.
3. Some important documents in the development of the concept of human rights are:
 - Magna Carta (1215)
 - English Bill of Rights (1689)
 - The Declaration of Independence, written by Thomas Jefferson and proclaimed by the 13 American colonies 4 July 1776:
We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness.
 - The Declaration of the Rights of Man and of the Citizen, written by the Marquis de Lafayette (France, 26 August 1789)
 - American Bill of Rights (added to the constitution of the United States in 1791).
4. In the late 18th and early 19th century, the idea of human rights played a key role in some European countries in struggles against government claims to absolute power. The failure of rulers to respect the principles of freedom and equality was responsible for this development. The idea of human rights persisted during the rest of the 19th

century. This is shown in such reforms as the abolition of slavery, factory legislation, popular education, trade unionism, and the movement for universal voting rights.

5. Concern for human rights became particularly strong after the rise and fall of Nazi Germany. The Nazi government passed laws which attacked basic human rights:
 - laws authorising the dispossession and extermination of Jews and other minorities
 - laws permitting arbitrary police search and seizure
 - laws condoning imprisonment, torture, and execution without public trial.

These and other such Nazi obscenities led to the widespread realisation that certain actions against fellow human beings cannot be justified in any circumstances.
6. In the treaty establishing the United Nations, all members pledged themselves to take joint and separate action for the achievement of 'universal respect for, and observance of, human rights and fundamental freedom for all without distinction as to race, sex, language, or religion'.
7. In the Universal Declaration of Human Rights (1948), representatives from many different countries and cultures endorsed the rights specified in the declaration 'as a common standard of achievement for all peoples and nations'. All member countries of the United Nations have subscribed to the Declaration, which has been widely used as a standard for evaluating compliance with human rights obligations under the United Nations Charter.
8. Article 1 of the Declaration of Human Rights states that 'all human beings are born free and equal in dignity and rights'. Articles 2–21 deal with such rights as
 - freedom from racial and equivalent forms of discrimination
 - the right to life, liberty, and the security of the person
 - freedom from slavery or involuntary servitude
 - freedom from torture and from cruel, inhuman, or degrading treatment or punishment
 - freedom from arbitrary arrest, detention, or exile
 - the right to a fair and public trial
 - freedom from interference in privacy and correspondence
 - freedom of movement and residence
 - the right to asylum from persecution; freedom of thought, conscience, and religion
 - freedom of opinion and expression
 - freedom of peaceful assembly and association
 - the right to participate in government, directly or through free elections.
9. Articles 22–27 deal with such things as
 - the right to social security
 - the right to work and to protection against unemployment
 - the right to rest and leisure, including periodic holidays with pay
 - the right to a standard of living adequate for the health and wellbeing of self and family
 - the right to education
 - the right to the protection of one's scientific, literary, and artistic production.
10. Because the Declaration of Human Rights was not a treaty with enforceable legal obligations, two covenants, both having the status of formal treaties, were subsequently formulated: the International Covenant on Economic, Social and

Cultural Rights, and the International Covenant on Civil and Political Rights. Approved by the United Nations General Assembly in 1966, these covenants came into force in 1976.

11. Through its Commission on Human Rights, the United Nations has adopted many other human rights treaties on such matters as:
 - the prevention and punishment of the crime of genocide
 - the humane treatment of military and civilian personnel in time of war
 - the status of refugees
 - the protection and reduction of stateless persons
 - the abolition of slavery, forced labour, and discrimination in employment and occupation
 - the elimination of all forms of racial discrimination and the suppression and punishment of the crime of apartheid
 - the elimination of discrimination in education
 - the promotion of the political rights of women and the elimination of all forms of discrimination against women
 - the promotion of equality of opportunity and treatment of migrant workers
 - the rights of children, mentally retarded persons, and disabled persons.

12. Through federal legislation Australia has ratified or subscribed to seven international human rights instruments:
 - the International Covenant on Civil and Political Rights
 - the Convention on the Rights of the Child
 - the Declaration on the Rights of Mentally Retarded Persons
 - the Declaration on the Rights of Disabled Persons
 - the International Convention on the Elimination of All Forms of Racial Discrimination
 - the International Convention on the Elimination of All Forms of Discrimination against Women
 - Convention III of the International Labour Organisation concerning Discrimination in Employment and Occupation.

The federal Human Rights and Equal Opportunity Commission has responsibility for promoting and protecting the rights set out in these documents.

13. There is now essentially universal acceptance of human rights in principle, so that no government dares openly to dissent from the ideology of human rights. At the same time, however, widespread abuse of human rights continues in many countries. The situation today is not significantly different from that described in the 1988 annual report of Amnesty International. The report states that

in at least half the countries of the world, people are locked away for speaking their minds, often after trials that are no more than a sham. In at least a third of the world's nations, men, women and children are tortured. In scores of countries, governments pursue their goals by kidnapping and murdering their own citizens.

14. Because of these abuses, many regional organisations working for human rights have been established throughout the world, such as the Council of Europe, the Organisation of American States, and the Organisation of African Unity. The latter half of the 20th century also saw the emergence and proliferation throughout the world of activist nongovernmental human-rights organisations such as Amnesty International (winner of the Nobel Prize for Peace for 1977), the International Commission of Jurists, and many church-affiliated groups.

CHRISTIAN PERSPECTIVES

1. The preservation of ordered human society belongs to the 'kingdom of the left hand', in which God rules the world through the law. Governments, as 'ministers of God', have the duty to preserve the life, liberties, property, prosperity, and honour of each citizen (Rom 13:1–7; 1 Pet 2:13,14). Christian citizens have the duty to urge their governments to pursue justice for all, and to protest where the rights of individuals or of minorities are either ignored or trampled on.
2. Although the human rights movement has secular origins, 'justice' and 'right' are concepts which have a biblical basis. Faith knows that God rules the world with justice, removing what is wrong and replacing it with what is just and right. Despite those moments in human affairs where injustice seems to triumph, believers know that divine justice will triumph in the final restoration of God's creation (Rev 21:1–8).

Above all, Christians know the gospel of God's saving justice in Jesus Christ by which God replaces our sin with Christ's righteousness. They thus have added reason to work creatively in love for justice for all people, and for other people's rights.

3. Rights are the Creator's gift to his creatures. The right to life, property, and honour are protected by the Ten Commandments. They are also safeguarded by the New Testament, even if it does not speak of 'rights' in the modern sense of freedoms universally recognised and capable of enforcement by law.

Believers see every good thing as a gracious gift of God's generosity (Matt 20:15). This is especially true of the most important right: to be called children of God (John 1:12). Yet believers also recognise and affirm the gracious gifts which the Creator has given to all his creatures, including non-believers.

4. Our Lord is the perfect example of compassion for suffering humanity and solidarity with them. He stands beside those who suffer discrimination. He associates freely with the unclean, with social outcasts, and with those who, like the Samaritans, are objects of racial and religious hatred. He proclaims the gracious justice of the heavenly Father who showers his gifts on the evil and the good (Matt 5:45). He does not discriminate between people when dispensing God's grace, and he calls his disciples to reflect divine mercy and justice in their own lives (Matt 25:34–36).
5. The starting points for Christian involvement in maintaining human rights are (a) the fundamental dignity of all human beings as creatures of God and (b) the command to love the neighbour. The gospel of God's love in Jesus Christ provides the motivation. Christians may disagree with non-Christians on the definition, nature, and extent of human rights, but they cannot dodge their responsibility to maintain justice and to redress evils wherever basic rights are denied.
6. Christians will show special concern for the rights of those who belong to the family of believers (Gal 6:10). Yet they will seek justice for all people (1 Thess 5:15), and be intent on ensuring the rights of those who cry out for mercy, and of those who cannot speak for themselves (Prov 31:8,9). Lack of concern for those who are suffering human rights abuses for any reason — whether because of gender, social status, nationality, culture, or religion — is a failure to witness to the universality of God's grace, especially as shown in the gift to all humanity of Jesus, his own suffering Son.

PRACTICAL CONSIDERATIONS

The following are suggested guidelines for how Christians should act in the matter of human rights:

1. Christians should become informed about situations, in their own country and in other countries, where people's human rights are being threatened or human rights abuses are taking place. Christians should develop an attitude of concern about these situations and compassion toward the victims. They should be active in increasing community awareness of the need to safeguard human dignity.
2. It is not possible for individual Christians to take action on behalf of all people who are being denied their rights. Yet not to act when the opportunity to do so exists is to become a passive participant in the abuse perpetrated by another.
3. Christians, individually and corporately, should cry to God, interceding for the whole world of suffering humanity, and especially for those who cannot pray for themselves. St Paul urges that 'petitions, prayers, requests, and thanksgivings be offered to God for all people' (1 Tim 2:1). Especially in the general prayer of the church, Christians give expression to the fact that all people throughout the whole world are of concern to God and to them.
4. The following are specific actions that Christians can take:
 - a. As individuals or in groups, investigate and research particular situations in order to become well informed about them.
 - b. Take part in groups to discuss and study human-rights questions, and decide on appropriate action.
 - c. Make use of community groups and organisations to inform others, and to take combined action.
 - d. Make contact with politicians and embassies, write letters to newspapers, and organise petitions.
 - e. Prepare and distribute information and advice.
 - f. Support a human-rights organisation such as Amnesty International, or become an active member.
 - g. Support or join groups that are formed or campaigns that are organised from time to time in relation to particular situations of injustice.
5. Christians should be aware that minority groups are the most common targets of prejudice and discrimination. Certain groups become particularly vulnerable in times of conflict and crisis, as happened in Australia in relation to Muslims and people of Arab background during the Gulf War in 1991 [and in the aftermath of terrorist attacks on New York and Washington in 2001 –Ed].
6. Christians should have the courage to speak out and take action in defence of minority groups, even if this means taking a stand in opposition to prevailing community attitudes.
7. Christians should act to overcome hatred or contempt, in themselves and in others, toward particular groups in society. They should be aware of how easily a particular

group can come to be viewed with such hatred or contempt that it is felt that any action against those people is justified. Christians need to be particularly careful to respect and defend the rights of people whose values and attitudes are different from their own, or whose lifestyle or behaviour they disapprove of.

8. It can happen that individuals or groups make illegitimate demands for their rights in ways that involve abuse of other people's rights. Christians, however, should not be quick to assume that every demand for human rights, especially by a marginalised group in society, is illegitimate. The actions of a group may be wrong, and their methods of protesting may be inappropriate, but their cause may be justified.

Groups sometimes take provocative and militant action when they feel that no-one is listening to them and that their legitimate grievances are not being taken seriously. Christians need to be discerning, and need to judge particular situations carefully and compassionately.

9. In their everyday life, particularly in their work and social situations, Christians should be sensitive to the needs of those who are weak and powerless, and should be ready to stand up for those who are victimised. In situations where there are conflicting human rights claims, Christians should try to play a mediating role, encouraging dialogue and compromise where called for and appropriate.
10. In their concern to defend victims of oppression far from home and congregation, Christians should not be blind to cases of abuse in their own neighbourhood or congregation. They may be called on to support victims of domestic violence. They may be challenged to intervene in order to protect victims from further pain and loss of dignity. And they may be called on to show or to seek appropriate care also for those who inflict violence, and who are themselves casualties of the abuse they inflict on others.
11. If Christians feel the need to defend their own rights, they should be careful never to use means that do violence to other people and those people's rights. Where the exercise of their own rights may be offensive or harmful to others, Christians should be prepared, if necessary, to forgo their rights for the benefit of the others and for the sake of harmony.