

# STRENGTHENING CHRISTIAN PERSPECTIVES ON HUMAN DIGNITY AND HUMAN RIGHTS

## Perspectives from an International Consultative Process

Peter Prove  
Jochen Motte  
Sabine Dressler  
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World Council  
of Churches



United Evangelical Mission



Evangelische Kirche  
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# Strengthening Christian Perspectives on Human Dignity and Human Rights—An Introduction

Peter Prove, Jochen Motte, Sabine Dressler  
and Andar Parlindungan

“God has bestowed equal dignity upon each and every person. This is a foundational faith affirmation. [...] There is an intrinsic persuasiveness of the concept of human rights.” From a holistic view of the human person, churches are called upon to affirm the indivisibility and universality of human rights and advocate for the victims of human rights violations as an integral part of striving for justice and peace.

These convictions have been expressed by 47 participants from 22 countries representing different regions and confessional families who gathered in Wuppertal (Germany) and online from 9–12 April 2022. It is part of a message issued at the conference at the end of a two-year study process, initiated in 2020 jointly by WCC (a fellowship of 352 churches globally), UEM (Communion of Churches on three continents) and EKD (one of the hosting churches for the WCC 11th Assembly in 2022).

The conference took part almost 75 years after the adoption of the Universal Declaration on Human Rights by the United Nations in 1948, in the aftermath of the Second World War. In the same year, the World Council of Churches was founded. Since then, the ecumenical movement has actively promoted international human rights law as an instrument for protecting the God-given human dignity of every human being. For many decades, churches and faith-based organizations associated with the WCC have advocated especially for vulnerable people who have been victims of human rights violations.

In the current global context, we observe with great alarm the escalating conflicts, tensions, divisions, and discriminatory nationalisms that once again threaten grave peril to the physical security and human dignity and rights of communities and individuals worldwide.



In this context, the World Council of Churches, together with the Protestant Church in Germany and the United Evangelical Mission, recognized the need to initiate a process of ecumenical study and reflection on the relationship between human dignity and human rights from biblical, theological, and victims' perspectives.

The rich contributions of papers received from theologians, people with different academic backgrounds, experts in ethics and human rights, and human rights defenders—together with the joint message of the participants of the Wuppertal Conference—are made available in this publication in digital as well as in printed formats.

Given renewed conflicts and widening divisions, and with human rights having all too frequently been misused for political purposes or applied unequally, international human rights law—and with it, the foundational principles on which it is based—has itself come under increasing attack. Concurrently, different perspectives on the relationship between Christian ethics and international human rights law have become increasingly evident within the ecumenical movement. At the same time, human security and dignity have become increasingly imperilled by forces that international human rights law is intended to constrain.

We hope that the reflections and common message presented in this publication will contribute to rediscovering and vivifying an ecclesiological understanding and stronger ecumenical consensus on the fundamental ethical and moral principles whereon international human rights law is founded, and that, consequently, the universality and indivisibility of human rights will be reaffirmed, and the necessity of such a system of accountability to protect people from discrimination, abuse, and violations of their human dignity acknowledged.

We, the representatives of the organizing institutions, express our sincere thanks to all who contributed through their written reflections, participation in the conference, and recommendations to this publication. We especially express great thanks to the editing team, Prof Dr Dietrich Werner, Prof Dr Simone Sinn, Lyn van Rooyen and Thomas Sandner, whose committed work made it possible to publish these papers in an extremely short time so that it could be shared at the WCC Assembly in Karlsruhe in August/September 2022.

We hope that in the years to come, impulses from the contributions as well as the recommendations from the common message will lead to further reflections as well as concrete joint action by churches in the ecumenical fellowship to advocate for victims of human rights violations based on a common understanding of human dignity of every person to be preserved and protected by universal human rights.

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# Strengthening Christian Commitment to Human Dignity and Human Rights—Conference Message

12 April 2022

Let justice roll down as waters, and righteousness as a mighty stream  
(Amos 5:24)

## 1) Hearing the cries

On Wednesday 6 April 2022, just two days before the beginning of the conference on Christian Perspectives on Human Dignity and Human Rights, Mbodazwe Elvis Nyathi, a 43-year-old Zimbabwean and father of four children, was burnt alive in Diepsloot township in South Africa by a mob protesting crime and poor policing of immigration laws. Elvis is just one of the many cases of mob killings in the black townships, the vestiges of apartheid South Africa.

The gruesome killing of Elvis was not covered in the international press like the story of the killings of civilians in Bucha, Ukraine, by Russian soldiers some days earlier. One of those victims was shot execution-style while riding a bicycle. Another was shot with his hands tied at his back. Women were raped. These and many recent and not so recent cases all over the world necessitated the churches to seek reaffirmation of a common understanding of and commitment to human dignity and universal human rights.

## 2) Holding each other accountable

Impelled by revulsion at the appalling violations of God-given human dignity perpetrated during the Second World War, the international ecumenical movement has long been engaged in promoting the development and application of international legal frameworks for accountability for such violations. In particular, the role of the Commission of the Churches on International Affairs (CCIA) in the drafting of the Universal Declaration of Human Rights (UDHR) is well known.

In the current global context, not unlike the situation at the time of the Second World War, we observe with great alarm the escalating conflicts, divisions, inequalities, resurgent racism, xenophobic attacks on migrants, violations of the rights of women and other forms of discrimination, threats against human rights defenders, as well as authoritarianism, populist

nationalism, religious and other forms of extremism that once again threaten grave peril for the physical security and human dignity and rights of diverse communities and individuals around the world. This has been aggravated by intentional misinformation and ‘fake news’ in social media and other media. In several countries currently there are unprecedented assaults on human dignity and democratic principles, attacks on the validity of international law, and impunity for grave human rights violations.

Sadly, the universality of human rights is questioned more and more today. Double standards have too often marked the application of international human rights law, with many states instrumentalizing these principles for political purposes, and powerful states resisting human rights accountability for their own actions. Such misuse of principles that should be of universal application has damaged their credibility in the eyes of many, and weakened them for the essential purposes for which they were intended.

These are the reasons why we have gathered for the consultation on “Christian Perspectives on Human Dignity and Human Rights” from 9 to 12 April 2022, which was prepared together by WCC/CCIA, United Evangelical Mission (UEM) and Protestant Church in Germany (EKD) to reflect on different perspectives on the relationship between Christian faith principles, and human dignity and human rights.

### **3) Listening to what God requires of us**

We affirm the enduring relevance of the Bible as a dynamic resource for churches in the ecumenical movement in its ongoing advocacy for the respect for human rights and the upholding of human dignity. It is to be acknowledged, however, that the Bible also contains troubling texts that depict religiously sanctioned activities of exclusion and marginalization, which are otherwise seemingly contradictory to the life-giving spirit of the Bible. We recognize the strong affinity between the active affirmation of human rights and human dignity, and the biblical proclamations of liberty, love, compassion, justice, and peace. We take the ultimate example of Jesus of Nazareth, who preached and embodied God’s inclusive gospel of love for the disenfranchised and disadvantaged (Luke 4:18-19; John 15:13).

The Hebrew Bible records a deep appreciation of humankind’s essential dignity as created in God’s image (Gen 1:27), along with their inherent goodness, beauty, and honour (Ps 8:5), in relation to other beings, as well as to the whole of creation (Ps 139:14). God’s covenant with the people in the context of liberation from slavery in Egypt stipulates a set of ethical norms

that aim at safeguarding freedom and the dignity of every individual and of the community as God's people. The mandate to walk "the way of the Lord" as God's law (Jer 5:5) in justice and righteousness (Gen 18:19; Amos 5:24) is a concrete manifestation of their devotion to God and their fellow beings (Ex 20). Thus, the covenant people are to uphold their neighbour by caring for the vulnerable (Ps 82:3) and providing them the needed justice (Jer 22:3). The many narratives that depict the people's failure to put God's law of justice and righteousness into action also reveal God's wrath and demand for repentance for the transgressions committed (e.g., 1 Kings 21; Isa 1:1-20; Mic 6).

In the New Testament, the invitation to repentance emerges again as an essential step toward restoring oneself to the covenant relationship with God and other beings by putting an end to practices that tend to destroy others' dignity and inherent rights (Luke 3:1-14) and inculcate a God's-reign-oriented lifestyle that promotes just peace, mercy, compassion (Matt 5:1-7), inclusion (e.g., Acts 10:34-35), and equality (e.g., Gal 3:28). In sum, the interconnected norms based on the biblical passages presented here approximate the salient normative aspects of human rights and human dignity—norms that, in Apostle Paul's description, characterize the new life in Christ (Rom 3:21-26; 6:1-23; Gal 5:16-26) and tread the way of peace (cf. Rom 3:9-17; Isa 59:1-8).

#### **4) Discerning together**

At the conference, disturbing reports and testimonies from specific situations of human rights violations in different parts of the world were shared. We heard from churches' courageous responses, as well as from the failures of churches to assist victims of human rights violations. In discerning the role of the churches, we engaged in theological reflection on the human person and on the significance of solidarity and structures of accountability.

God has bestowed equal dignity upon each and every person. This is a foundational faith affirmation. Relating to one another as human persons we are called to recognise, acknowledge and affirm the God-given dignity of our fellow human beings. Our Christian faith does not allow us to buy into simplified views of individualism or collectivism, or to deny dignity to any group of people. Speakers from diverse Protestant and Orthodox churches at this conference articulated that personhood, dignity and relationality are key concepts in Christian theology. As we relate with one another, the God-given dignity of the other person becomes an obligation not to take it away, but to

cherish and uphold it.

The conference affirmed that this foundational affirmation resonates with people from around the world. There is an intrinsic persuasiveness of the concept of human rights based on the dignity of each and every human being. It speaks to the hearts and minds of people. Wherever someone's dignity is attacked, others can feel pain, and thus, with empathy and conviction, respond to this attack by forming bonds of solidarity and calling for accountability. Prevention of harm and care for people in need are solid expressions of authentic and faithful protest against injustice and atrocities. Human rights are an important means to hold perpetrators accountable, and to affirm the role of the state as duty-bearer to guarantee human rights.

From a holistic view of the human person, churches affirm the indivisibility of human rights. While in the past often civil and political rights have been played off against economic, social and cultural rights or vice-versa this conference emphasizes that human rights cannot be divided, and new faultlines should be avoided. The conference appreciates the evolution of international human rights protection also through the more specific human rights conventions.

## **5) Urging the churches to action**

We call on churches to:

- ◇ listen to the victims of human rights violations and stand in solidarity with them; and uphold them in prayer and lamentation;
- ◇ rediscover the rich biblical narratives that affirm human dignity, justice and the rule of law, for further theological reflection and discernment for responsible action; articulate how Christian theology, anthropology and ethics nurture the commitment to the indivisibility and universality of human rights;
- ◇ speak the truth and advocate for the victims by bringing the reports and testimonies of victims of human rights violations to the attention of national authorities and international mechanisms so that justice may prevail;
- ◇ engage with the differences in perspective and approach within the ecumenical movement in order to work towards

common conclusions and recommendations for churches to reclaim the language of human rights, and to advocate for human rights and rule of law as an integral part of churches' life and witness;

- ◇ acknowledge that advocating for universal human dignity and rights is part of striving for justice, peace and integrity of creation;
- ◇ strengthen the capacity among church members through training and empowerment to actively engage in human rights advocacy;
- ◇ collaborate ecumenically to strengthen the churches, as well as ecumenical and interreligious partners, who face attacks because they advocate for victims of human rights violations;
- ◇ expose and challenge all forms of discrimination, injustice and abuse of power that undermine human dignity and human rights; especially for people of colour, women, children, migrants and refugees, and ensure their full participation in all processes that affect them;
- ◇ discern criteria in relation to culture and tradition, so that while these values are cherished and nurtured, they shall never foster hatred, injustice or the rejection of the dignity of other human beings;
- ◇ establish accountability structures within churches and ecumenical institutions;
- ◇ acknowledge that human dignity is to be understood not in isolation from the integrity of the entire creation, affirming a foundational relationality of all creatures.

We commend this message to churches and related organisations around the world for their further reflection and action, and amongst other things, help to inform relevant discussions at the forthcoming 11th Assembly of the World Council of Churches in Karlsruhe (Germany), 31 August to 8 September 2022.





## Overview of the Publication

Dietrich Werner and Simone Sinn

### Section 1: Human Rights, the United Nations, and the World Council of Churches

**Katharina Kunter** reviews the historical role of the World Council of Churches (WCC) and the Commission of the Churches on International Affairs (CCIA) in the controversial field of human rights after the Second World War, which tends to be forgotten and is not sufficiently being remembered in some current research. Her article highlights that the CCIA, and especially its first director, Frederik O. Nolde, gave considerable impetus to the early debates on the Universal Declaration of Human Rights (UDHR) and the section on religious liberty (Article 18). In line with this, the WCC strongly supported human rights at the 1st Assembly of the WCC in August 1948 in Amsterdam and passed a resolution on religious liberty at that early stage. With the growing internationalization and globalization of the WCC in the 1960s and 1970s, the Anglo-Saxon liberal interpretation of human rights, the “first-generation rights,” made way for the “second-generation rights,” which focused on the struggle against unjust structures and for social, economic, and cultural rights. Kunter interprets and analyzes the year 1975 as a focal point in which the two traditions of individual human freedom rights (like freedom of religion in Eastern Europe) and social structural justice rights (like issues of racism and economic injustice in the West) were seen and experienced as being in conflict with each other. An interesting question at the end of her chapter is raised about the effects the collapse of the communist states in Central and Eastern Europe in 1989–90 had on the WCC, on the end of the post-war order characterized by the East-West divide and the Cold War, and on the outreach of the ecumenical movement on Eastern and Central Europe. The WCC could be seen as both profiting and suffering from these complex developments at the same time, she argues.

**Peter Weiderud**—who for many years served both within the church and within politics—in his chapter on human rights and the WCC from 1948 till today recalls many arguments for the importance of the church’s involvement in political and international affairs. He also remembers the historical circumstances by which the CCIA became one of the first international

NGOs to be granted consultative status with the United Nations' Economic and Social Council (ECOSOC) and the deliberate decision not to come up with an exclusively religious foundation of the UDHR to provide a broader space of legitimization for basic human rights for the entire global human family. According to Weiderud, the CCIA, from the 1970s until the 1990s (when the UN's human rights work was at its peak), was one of the first organizations (and played a unique historical role) to bring victims of human rights violations and church leaders from Latin America, Asia, and Africa to give direct testimonies of their situation. They confronted grave human rights violations of military dictatorships in those regions and formulated standards on torture, disappearances, extra-judicial killings, violence against women, and other topics at UN level, often for the first time in history.

**Matti Peiponen**, in his chapter on international affairs in the focus of ecumenical work, sheds a light on the fact that human rights commitments in the pre-institutional phase of the ecumenical movement owe a great deal of preparation to the two distinct action-oriented streams and ecumenical renewal movements which became known as the World Alliance for Promoting International Friendship through the Churches and Life and Work, and with them the heritage of ecumenically oriented American Protestant mainline churches which had done extensive work on human rights long before the end of the Second World War. He also offers some illuminating historical details around the Paris UN assembly in 1948 in referring to Nolde's sensitive and crucial political role in arguing for the retention and affirmation both of Article 16 of the UDHR over against objections of the Soviet Union, which deals with the right to marry "without any limitation due to race, nationality or religion," and also of Article 18 (freedom of religion, including the right to change one's own religion).

**Mathews George Chunakara** deepens historical insights on the role of human rights in the ecumenical agenda since the WCC's formation with detailed knowledge, which he contributes as former director of CCIA as well as from his expertise as general secretary of the Christian Conference of Asia. He provides a detailed analysis of key documents of the Amsterdam assembly, which revealed a strong insistence on freedom of religion due to the rootedness of the early ecumenical movement in the global missionary movement. Section IV in the Amsterdam report insists that "churches should support every endeavour to secure within an International Bill of Rights adequate safeguards for freedom of religion and conscience, including rights of all men to hold and change their faith, to express it in worship

and practice, to reach and persuade others, and to decide on the religious education of their children. They should press for freedom of speech and expression, of association and assembly, the rights of the family, of freedom from arbitrary arrest, as well as all those other rights which the true freedom of man requires.” The WCC followed up on this by establishing a Secretariat on Religious Liberty already in 1958. Mathews reflects on some internal tensions or disagreements within the WCC, especially after the integration of several Orthodox churches from Eastern Europe, in particular also the Russian Orthodox Church, over how to handle relations with churches that were subject to state control and experiencing human rights violations in communist political settings. In Nairobi 1975, this conflict disabled the WCC from reaching a clear position or critical reflection on its own attitude toward the question of religious freedom in the socialist states. A unique facet of this chapter is the critical look at various implementation steps for ecumenical work on human rights during or after the assemblies of Vancouver and Canberra, which called for a continuation of the WCC’s Human Rights Programme and the Human Rights Advisory Group; these also became a crucial forum for collaboration with regional ecumenical organizations in implementing human rights programmes and thus has been an effective tool for CCIA’s strategic initiatives.

**Heiner Bielefeldt’s** chapter on unpacking the intrinsic authority of human rights reminds readers with strong arguments that prior to any acts of legislative and juridical standard-setting, human rights claim an intrinsic authority, which is vital for their weight, outreach, and acceptance. There is something inherently compelling in the idea of equal dignity and equal rights for all human beings across regional, political, and cultural boundaries. The awareness that human rights claim intrinsic authority prior to any acts of law-making can help build resilience against current attempts to revivify old concepts of absolute state sovereignty. He argues that the insistence on an intrinsic authority of human rights unfolds its political significance in contexts in which authoritarian governments proclaim the primacy of the sovereign state in which human rights simply end up as tools employed in diplomatic games and depend upon the goodwill of those in power. But human rights are more than mere acts of state mercy: they are inalienable rights which have an intrinsic authority independent from any given government.

**Ibrahim Salama and Michael Wiener** from the Office of the UN High Commissioner for Human Rights argue that during the current phase of major backlashes and turmoil for human rights and for faith, we have to

contemplate again how the relationship between religion and human rights can—and should—move from attempted conversion to the convergence of results and synergies whenever common grounds allow for it. They assert that ignoring faith-based actors in practice, under whatever justification, is a counterproductive luxury. They remind readers of a poignant statement of the then UN Secretary-General, Dag Hammarskjöld, who in 1954 noted that “the United Nations was not created in order to bring us to heaven, but in order to save us from hell.” To prevent another humanitarian catastrophe like what has been experienced in two world wars, religion and critical reasoning, faith language and rights language must work together, and they can do so together in several faith traditions. Human rights are the secular means to translate into action several values proclaimed also by faith traditions: dignity, equality, empathy, fraternity, and solidarity. Humanists, atheists, and agnostics reach the same result differently through their religiously secular belief in equal human dignity and rights as supreme values. Both means—faith and rights—seek the same end. The essay highlights the potential of the Beirut Declaration and the 18 commitments on Faith for Rights as they are serving both ends: countering the manipulation of religions but also leveraging their moral and spiritual weight in defence of equal human dignity in all its manifestations. The chapter ends with a passionate plea: “None of the two communities of religion and rights needs to attempt converting the other one to its own premises. Instead, both communities should collaborate by seeking practical synergies and convergence of results, whenever common grounds allow for it.”

**Michael Windfuhr**, of the German Institute of Human Rights, focuses in his chapter on the implementation of human rights and the evolution of international human rights protection instruments, particularly in terms of how the national and international human rights protections systems could be expanded and strengthened after the Vienna conference on Human Rights in 1993. He explains that the Vienna conference was instrumental in distinguishing a threefold nature of state obligations to protect human rights, namely the obligation to respect (the state must refrain from violating human rights through its own action), the obligation to protect (the state must protect people on its territory from violations of human rights by third parties), and the obligation to guarantee (the state must use resources to proactively implement human rights). The human rights infrastructure of the United Nations as described by Windfuhr was helped by the establishment of the Human Rights Council in 2006 and the Universal Periodic Review system, which is compulsory for all nations. In the light of the growing number of

countries with trends toward authoritarianism and heavy restrictions of civil society, the chapter also asks whether the current human rights protection system is sufficiently fit for several of the challenges outlined concerning threats to the universality and indivisibility of human rights.

## Section 2: Biblical Foundations

**Dennis Solon** from the Philippines, in his chapter on the way of the Lord as a key concept within biblical tradition, highlights that today's Christian engagement of human rights and human dignity is in continuity with the biblical mandate to keep the way of the Lord—the way of righteousness and justice, which are inseparably linked with regulations to protect the weak and vulnerable. An equivalent New Testament concept which accompanies and hermeneutically further explains the concept of the way of the Lord is the “way of peace,” as often referred to in the writings of the apostle Paul (Rom. 3:17). These biblical roots of human rights and human dignity are especially meaningful and instructive in a markedly Christian country, such as in the Philippines, where human rights violations like in the present regime's war on drugs have almost become the order of the day, committed with much impunity and neglect of human dignity.

**Friedrich Lohmann**, in his chapter on human rights and the biblical narrative, deepens the insights that Christianity—while there was some resistance to the concept of human rights in its past—was also engaged in the positive defence of human rights in several instances, such as Bartolome de las Casas in resisting the Spanish colonists; the European Protestant Reformation, which could be called a reformation of rights; and the Christian contribution to overcoming slavery in the 19th century. The core elements from biblical narratives according to Lohmann are both the basic equality with which Jesus treated his contemporaries in a situation of great social inequality (the story of the Samaritan woman) as well as the social inclusivity of early ancient Christianity (Gal. 3:28). The striking extension of basic rights to those at the bottom of the social ladder (like slaves) as part of the concept of *mischpat*/righteousness (Job 31:13-15) is a strong point of reference for the universality of human rights, according to Lohmann. The rich biblical witness on economic, social, and cultural rights from Old Testament texts is unfolded and described by the author in detail, including a surprising thesis that the notion of human dignity might not be founded just on Genesis 1:27 (*imago Dei* reference), not to provide justification of human exploitation of the environment, but to derive the concept of dignity from the notion of

creation in general (Ps. 139:14), to show that the dignity of the human being cannot be dissolved from the dignity of creation as a whole.

**Jochen Motte** from UEM, in his chapter on biblical perspectives for universal rights today, recalls that the human rights system was the historic answer to the global challenges of unprecedented instances of terror, injustice, and crimes perpetrated by the representatives of National Socialism during the Second World War. Seen from this historical background and the current increased pressures on the human rights system, it is essential for churches to maintain and defend the universality and inalienability of human rights whenever any attempt is made to relativize them, since all these attacks on their validity weaken the position of victims and increase the chances of perpetrators escaping from accountability. Motte outlines in detail that strong biblical foundations and traditions for a biblical rights perspective connect the notion of justice inseparably with the notion of law as a necessary legal framework to protect human dignity, and especially to protect the most vulnerable people in society. In particular, the biblical tradition always combines two dimensions of human responsibility with collective and individual accountability and does not allow for their dissociation. Regarding the latter, it is remarkable that the king—as an anointed person considered to be in ultimate proximity with God and who is the one responsible on earth for implementing the law and upholding the rule of law—is subordinate to God’s law and commandments. Therefore, Israel’s kings do not enjoy immunity, as many head of states do today, but are subordinate to God’s commandments and held accountable for breaking the law. From the biblical expectation of justice for the poor and vulnerable, the weak and the injured, and even those being killed, Christians have not only good reasons to, but are obliged to advocate from a victim perspective for human rights which are granted to all people as a promise and hope but also as a legal obligation, especially toward victims of injustice, violence, and oppression. Universal human rights therefore should remain an integral part of advocating for justice, peace, and the integrity of creation.

**Martin Junge**, the former general secretary of the Lutheran World Federation, puts his reflections on biblical-theological foundations of human rights under the motto “No one is disposable.” He starts with a reflection on the life-saving relevance of churches’ engagement for human rights during the period of military dictatorship and the nightmares of totalitarian regimes in Latin America, which perverted the role of the state from an institution to guarantee the protection of its own citizens to an agency to violate the

basic human rights of its own citizens. The constant undermining of the historical global achievement of the Universal Declaration of Human Rights by totalitarian states and leaders today, which tend to subordinate human rights to national law or security interests, needs to receive a committed answer by churches and all people of goodwill to defend the indivisibility and inalienability of human dignity for all. Based on the biblical notion of humans created in the image and likeness of God and the equality of all persons in Christ, Junge highlights a central motive of Lutheran doctrine, namely justification by faith through grace alone, to reinforce the same message of the incommensurable value of human beings and of each individual for what they constitute in the eyes of God, and whom God recreates through the merits of Jesus Christ. This affirms the notion that human beings own something as an inalienable value, which is not the result of any work or doing. To put it in a short and central clause: For God, every life counts and every life matters. For God, there are no disposable lives.

### Section 3: Theological and Practical Perspectives

In their chapter, **Patrick Roger Schnabel, Elizabeta Kitanovic, and Sofia Caseiro** from the Conference of European Churches (CEC) bring insights related to the engagement for human rights in this context of CEC and the global framework for human rights legislation. The article recalls that the catastrophe of the Second World War and the unprecedented assault on humanity that culminated in the Shoa created a unique *kairos* for the global community to seek a new narrative, new organizational structures, and a new legal base for the peaceful co-existence of individuals, nations, and beliefs. At the same time, a rapid process of decolonization began. The structured political discourse within the United Nations system and the indivisible foundation of universal human rights became the two cornerstones of this new world order. Almost a century later, with the generations impressed by the experience of two world wars leaving the stage, many people realize that this order has lost its self-evidence—and has to assert its plausibility with new arguments and against new counter-narratives and adversaries. The CEC has reflected on the task of refreshing the commitments to human rights in an entirely new environment created by a real-time exchange of information and opinions in so-called social media. The article analyzes this new global setting, its currents, and protagonists, before outlining how human dignity and human rights must and can hold their ground—not least through human rights education and advocacy done by churches. It draws on the practical experience of the authors in Europe and the Middle East but also on their



continuous exchange with human rights experts from all over the world and across denominational boundaries.

**Elpidophoros Archbishop Lambriniadis**, the Greek Orthodox bishop of the Ecumenical Patriarchate of Constantinople and, since 2019, Archbishop of the Greek Orthodox Archdiocese of America, underlines that there is a point of convergence between the Orthodox Church and the human rights movement in the concern for human dignity, freedom, and justice. The existing tensions between Orthodoxy and modern human rights are rooted not only in Judeo-Christian principles, but also in historical contexts. The key for the common approach to human rights is the Orthodox concept of the human person, a concept directly related to the patristic tradition, in which the notion of personhood (*πρόσωπον*) properly expresses the meaning of the creation of the human being in God's image and likeness (Gen. 1:26). The foundation of human dignity provides the human being with the highest value, the sacredness of communion. All humans find their origin in God their Creator. While Orthodoxy embraces the principles of human rights, it sees many limitations in the way they are disconnected from faith and religion. However, for the Orthodox tradition, humans are always relational beings, an image of God's communion in which we can deepen the reality of coexistence, dialogue, and freedom. Human rights cannot be worked for without this attention to the relational and spiritual vocation of the human being and its longing for communion with God, as opposed to abstract individualism, as also stated in the recent document by the Ecumenical Patriarchate, *For the Life of the World: Toward a Social Ethos of the Orthodox Church*. Strong stances are therefore needed by all Christian churches together to advocate for human rights, for instance for migrants in Europe: it seems unacceptable that some Europeans, who praise human rights and who wish to appear as defenders of a Christian Europe, at the same time employ hard language against migrants and refugees and defend closed European borders. Can Europe save its identity by applying double standards? It is likewise impossible to confront the refugee and migrant crisis based on a technocratic, bureaucratic, economy-centred Europe.

**Natallia Vasilevich** from Belarus, in her chapter on pan-Orthodox commitments to human rights, identifies and reviews several key doctrinal documents from Orthodox backgrounds on human rights. She points particularly to the significance in an often less cited and less noted key document, *The Contribution of the Orthodox Church in Realizing Peace, Justice, Freedom, Fraternity and Love between Peoples, and in the Removal of Racial*

*and Other Discriminations*. Produced by the Third Pre-Conciliar Conference (Chambésy, 1986), for decades it set a proper theological framework for the Orthodox approach for human rights by identifying the dignity of the human person as the key foundation for social and political peace. This document also played a major role as a prototype for the document *The Mission of the Orthodox Church in Today's World*, from the Holy Council Synod meeting in Crete in 2016. The tensions between both some ideological trends during the East–West conflict and Cold War mentalities in the decades after the 1960s are reflected, as well as the crucial and often lesser-known role of the Lebanese Orthodox theologian and philosopher Habib Malik. Alongside Nolde, Malik played a major role in the negotiations for the Universal Declaration on Human Rights and the subsequent inner-Orthodox discourses on a theological concept of human rights (for instance, based on interventions by Alexandros Papandreou from the Crete Orthodox Academy).

**Alexander Shramko** from the Russian Orthodox Church recalls a remarkable witness and theologian from the Russian Orthodox tradition, Hegumen Veniamin from St Petersburg, who made democracy and human rights his main theological, pastoral, and public topic since the 1990s and continued to be dedicated to this topic until his untimely death in 2010. His example shows that important and exceptional theological voices even within the Russian Orthodox Church do not follow the dominant increasingly sceptical and rejecting attitude toward democracy and human rights, which are viewed as a creation only of the secular world and “not a divine institution” (as stated in *The Russian Orthodox Church's Basic Teaching on Human Dignity, Freedom and Rights* [2008]). Hegumen Veniamin (Novik) can be regarded as one of the most important defenders of the theological essence of human rights, which he studied in detail at Columbia University after being expelled from his services as vice-rector of the spiritual academy in St Petersburg in September 1997 due to disagreement with the new federal law On Freedom of Conscience and Religious Associations. One of the most interesting observations Veniamin noted was about the reasons for the divergences between Western and Eastern Christianity, which, for more than a thousand years, have shared basically the same foundations. The conclusions from these foundations, however, were interpreted in divergent directions in Western and Eastern Christianity and even opposite to each other. If, for the West (especially the Anglo-Saxons), the key notion was freedom, then for the East the key notions became obedience and humility. As a result, the West has become characterized by the presumption of distrust against the state and has put the imperative on the autonomy of the human person, while

for the East, unconditional subordination to the state, completely devoid of any major criticism, even to the sacralization of the state, became more typical. Veniamin seriously pleaded for a genuine reform within the Russian Orthodox Church. He formulated this as no more and no less than the need to return to the gospel and to Christ himself, both of which are alienated from the church—a call which still waits for a response to be given from within the church.

From the **Ecumenical Patriarchate in Constantinople** there is a special text reproduced here. It is a major part and section of the new Orthodox study document on the social ethos of the Orthodox churches, which in 2020 was published under the title *For the Life of the World: Toward a Social Ethos of the Orthodox Church*. Under the thematic title “You have created us in your image and likeness,” the Ecumenical Patriarchate has articulated key elements of its own understanding of Orthodox and human rights. This major Orthodox doctrinal statement on the social ethics of the Orthodox churches was the fruit of critical reflection by many Orthodox Christian lay scholars and church leaders. *For the Life of the World* offers guidance to navigate contemporary challenges faced by the Orthodox Christian on a wide range of social issues, including racism, bioethics, ecology, and human rights. The document also gives a synthetic presentation of the Orthodox Christian perspective on the wider Christian world, including this key section VII. (§ 61–67) on orthodoxy and human rights.

**Dietrich Werner**, in his chapter on mission, human rights, and religious freedom—a relationship of light and shadow—takes a critical look at Protestant mission history, particularly from German mission history, to spell out remarkable discoveries that as yet are not well known or well researched. Namely, these are important claims, statements, and theological processes in some of the Protestant mission organizations in Germany which articulated an embryonic concept of an “impartial distribution of similar rights to all natives as well as any strangers, [including] the protection of the rights of labourers over against the interests of landlords and colonial administrators” in the late 19th century (article by G. Plath, Berlin, 1886). This even further finds an echo in deliberate reflections on the concept of human rights, which owes its existence to Christianity and leads to a passionate plea for all German missionaries “that we have to view and to treat all human beings, from whatever race or colour as fellow human beings, i.e., as co-heirs of salvation and brothers in Christ” (Julius Schreiber, from Barmen Mission in the year 1901 in Bremen). Theological reflections like this even led to the

establishment of a Continuation Committee for Safeguarding the Rights of Native People. This chapter establishes interesting and sufficient evidence to correct the often-heard one-sided generalization which would claim a general abstinence of Christian mission from any understanding of human rights and Christian freedom.

**Kambale Kahongya Bwiruka**, from the United Evangelical Mission (UEM), based in Tanzania, presents a convincing and rich reflection on promoting human dignity and human rights from African Christian perspectives, mainly reflecting church and social contexts in Eastern and Central Africa. One of his main insights into the African cultural context is that the concept of human dignity needs to be expressed as Ubuntu in the Nguni Bantu concept or as Utu in the Kiswahili language. Both are fundamental societal, religious, cultural, legal, and inclusive concepts in Africa. Africans think of dignity not solely as an individual human characteristic or right but as a concept that implicates most important relationships in solidarity, including family, community, tribe, and nation. Thus, engagement for human rights in Africa also includes considerations of human duties, gender considerations, and relationships with a strong sense of reciprocity. Human dignity therefore always includes the recognition of the dignity of others. One feature of this chapter is also that it highlights three most striking and detailed examples of advocacy work on human rights: one from Eastern Africa in Tanzania, one from Rwanda, and one from Central Africa from the Democratic Republic of Congo, exposing both challenges and unique potentials the churches can bring as human rights defenders in an African setting.

**Theresa Carino**, in her chapter on human rights in a world of diversity, provides highly interesting observations about human rights and human rights dialogue in China. China has made some solid progress in terms of strengthening a legal framework for securing and safeguarding decent living conditions, including access to clean drinking water, electricity, roads, bridges, rapid mass transportation, and adequate access to education and healthcare for all, but implementation and law enforcement are still lagging in some areas. The author then argues that adherence to human rights requires more than legislation. Human rights must be integrated with local culture, not imposed, given that they have to become operational in a non-Christianity centred society. Christianity in Asia (except in the Philippines) has been regarded as a foreign religion that is also a minority religion. In China today, seminaries are therefore exploring traditional and cultural elements

as part of the ongoing process of rooting Christianity in Chinese soil. Thus, there should be more intercultural exchange and dialogue in the form of ecumenical *diakonia* that has led to important elements of inculturation of values, such as participative democracy and human dignity, more education for human rights in churches and Chinese classrooms, as well as a broadened ecumenical consensus on ethical and moral principles that underpin human rights—biblically rooted but also open and sensitive to contextual elements in the non-Western world.

**Reinerio Arce-Valentin** from Cuba highlights the critical viewpoint that although human rights are referred to frequently by politicians, we should see that they are also used for political and hegemonic benefits and for the political interests of certain groups in certain parts of the world. Human rights language has at times become a slogan which is used as a political instrument for certain hegemonic interests against others and with certain intentions of controlling others by force. Christians therefore should be always mindful not to lose sight of the key concept that is fundamental to understanding biblical justice, namely the concept of distributive justice. When the Bible speaks of justice, it always refers to the distribution of the goods of God's creation for all human beings. This is distributive justice, which is not only for human beings but for all of God's creation. Restoring distributive justice cannot become separated from efforts to overcome structural sin through systems that promote injustice and inequalities and foster the exploitation of human beings and nature. Christians, therefore, need to become defenders of the rights of all human beings and of creation as something holistic, considering the human being as a whole and not just one aspect of the human being.

**Binsar Jonathan Pakpahan** from Indonesia, in his chapter, reflects on the question of whether the implementation of human rights needs different approaches in more collective-oriented societies compared to more individualistic societies. Asian societies are often more collective in their basic orientation than Western societies. In these contexts, ancient traditions of a covenantal theology offer a new way of viewing human dignity in a more collective mindset. In a collective society such as that of Indonesia, for instance, shame and guilt regulate social behaviour and need to be considered for regulating collective morality. While in individualistic societies such as Europe and North America, guilt often is the most effective moral regulatory, in Asian society, shame is more appropriate and effective as a moral regulatory mechanism. In Asian countries, the idea of a covenant was an important factor in a social organization or even the forming of society; the covenant

could be seen in the biblical tradition as the binding identity of a society at the time in which the role of honour and shame is significant. Rituals and public happenings are ways of showing, gaining, or losing the public recognition of one's honour and shame. It remains an urgent priority, therefore, in Asian societies to raise the idea that it is honourable and strengthens collective honour relationships to implement the Universal Declaration of Human Rights instead of bringing human rights to people living in Asian countries just with the threat of legal consequences.

**Cornelia Füllkrug-Weitzel**, former president of Bread for the World, Berlin, in her chapter reflects on long years of experience in global ecumenism and in the ACT Alliance on appropriate ways that the WCC and CCIA should and could interact and cooperate with the churches to promote and protect human rights. She particularly addresses the question of what happens if a member church in a country with systematic or gross human rights violations or with a totalitarian regime that systematically denies people the right to life ignores or denies that human rights violations are taking place by its own government and will not defend victims of these violations for various reasons: because a church no longer shares the human rights concept; the member church fears a loss of privileges or repressions and restrictions with regard to their own institution; the church is already (for ethical or political reasons) strongly influenced by the regime; or this church would urge the CCIA and WCC not to speak up on behalf of the victims and not to raise concerns about or denounce the human rights violations in a related country. The chapter concludes with some suggestions for different ways of ecumenical cooperation in defending human rights in difficult circumstances.

#### **Section 4: Human Rights, Gender Justice, Racism, and Care for Creation**

**Ragies Gunda Masiwa** from Malawi, a current WCC staff member on issues of racism and anti-discrimination, sets his reflections on Christian commitments against racism and anti-discrimination in the general context of contemporary Christian ethics. He concludes that Christian ethical reflections must consider ethical those actions that respect justice and love and affirm life and the centrality of the well-being of human beings in ethical reflections, including the well-being of the environment. At the heart of his essay lies a substantial reflection on discrimination as one of the most flagrant violations of human rights: according to Masiwa, at the heart of all forms of discrimination is prejudice based on concepts of identity and the need

to identify with a certain group. This can lead to division, hatred, and even the dehumanization of other people because they have different identities. While the author is clear on the fact that there have been instances where some leading church personalities might have supported discrimination as a way of preserving the faith, it is the non-discrimination teachings of the church, which are more enduring and remain consistent, whether Christians are in the majority or in the minority. Therefore, the key conviction of this chapter—that the belief that all human beings are created in the image of God and that Jesus Christ died on the cross to reconcile all human beings to God—suggests that discrimination for all Christian traditions is incompatible with these central Christian beliefs. Hence, non-discrimination is to be taken as praxis emerging out of the Christian faith.

**Evelyn L. Parker**, in her essay on the challenges of racism for Christians and the church, provides key arguments for her conviction that racism, found in every region around the globe, is the main challenge to the protection of human dignity and human rights for churches. All challenges to the church—including trafficking in women and children, climate change, nuclear disarmament, statelessness, and economic inequality—are connected to racism. Providing substantial insights in the key definitions of racial discrimination and giving key examples for more recent experiences of racism both in the South African context as well as for an African WCC senior staff member, Parker argues that both micro-aggressions, as well as macro-aggressions with racist connotations, are often perpetrated unceasingly, even by people who identify as Christian. The question therefore still waits for an answer at the 2022 WCC assembly: How does the church take authority to maintain the human dignity and human rights of all persons in the human family in a world governed by racism and white supremacy?

**Ute Hedrich**, in her chapter on human rights and gender justice in church and society, reflects on the missing synchronization of the fight for human rights and for women's rights. Women's rights were discussed specifically only rather late, but the Fourth World Conference on Women in Beijing in 1995 was a significant event which pushed for gender justice and feminist perspectives to be more developed in several countries. The adoption of the UN Security Council resolution (S/RES/1325) on women and peace and security on 31 October 2000 was another landmark event starting processes of change toward a more equal world with human rights and dignity of all for the sake of all, particularly mobilizing against military violence against women as experienced at that time in Bosnia and Herzegovina. It is crucial

to continue to ask pertinent questions about the full participation of women in church and society to realize the gender perspective of human rights work and recognize the practical work of women.

**Mary Evelyn Tucker and John Grim**, in their brief chapter on the rights of nature, recall the work and theological reflection of the US cultural historian and scholar of world religions, Thomas Berry. Berry is a pioneer of an enlarged framework of human rights, which need to be reformulated within the wider framework of the rights of nature. He argues that the United States Constitution is fundamentally flawed by reserving all rights for humans and recognizing none for nature. “Earth Jurisprudence” is the term and concept first used by Berry to name the philosophy of governance and law in which the Earth, not human interests, is primary. This view accepts that humans are born into an ordered and lawful universe, to whose laws we need to comply if we are to be a benign presence on Earth. At the heart of the transformation of attitudes, as well as the understanding of human rights, is the shift from a human-centred to an Earth-centred understanding of our relationship with the larger community of life. Only with a profound change in perspective will humanity be enabled to recognize and protect the inherent rights of the natural world and avoid the dominance of exploitative human rights over the integrity of creation as a whole. Several interesting new legal initiatives followed this explorative work on Earth Jurisprudence, such as the establishment of the Centre for Earth Jurisprudence in 2006 at the School of Law at Barry University in Florida and the Cochabamba document of the Rights of Mother Earth (2010).

## **Section 5: Contextual and Victims’ Perspectives**

**Saut Sirait and Andar Parlindungan** from Indonesia contribute a disturbing and revealing analysis of the political-ecclesial conflict within the HKBP in Indonesia from 1992 to 1998, when police forces in 1990 stopped and dissolved a youth conference and later the Great Synod of HKBP by force. They even tried to remove the properly elected HKBP leadership position of the ephorus in order to get rid of critical and prophetic voices speaking against the arbitrary use of power and military oppression in the country. The violent intrusion of the military commanders into the self-regulatory mechanisms of the church led to a de facto split of the church, with each group declaring itself the only legitimate one. According to the authors, the lack of efforts within HKBP to forgive but also to remember these painful and extremely violent past events is not just a result of cultural differences:



it needs to be addressed critically, as healing is possible only by recalling the sins and wrongdoings of the past and remembering the victims' perspective.

**Christian Vision of Belarus**, in its chapter, recounts shocking details about brutal violence, harassment, imprisonment, and even torture and murder perpetrated against members of the mass demonstrations against the regime of Lukashenko in Belarus after the manipulation of the general elections in 2020. Four examples of ordinary Christians are described; these reveal that the key clause in Article 5 of the Universal Declaration of Human Rights—"No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment"—is far from being respected and is still of urgent relevance today, although no one would have expected that in the calm country of Belarus, peaceful protests in 2020 would be faced with such violence. The shocking narratives of victims and moving stories of innocent faithful are describing that the atmosphere of terror and suffering still dominates the European country of Belarus with the deaths of dozens of innocent people, more than a thousand political prisoners, and almost 50,000 detained, searched, arrested citizens during the political crisis. Those who are persecuted simply for expressing their opinion and indignation at tyranny, violence, and lawlessness in Belarus are subjected to grave restrictions in exercising fundamental human rights and freedoms, including the right to freedom of religion and belief.

**Ruel Marigza**, a bishop of the National Council of Churches in the Philippines (NCCP), in this last chapter describing the victims' perspectives, takes readers to the context of the Philippines, where the NCCP faced immense violations of human rights, detainment, and killing of its pastors and church workers during the rule of President Rodrigo Duterte. Duterte often declared his utter disregard for human rights in his speeches; he legitimized a brutalization of military actions under the pretext of the military doctrine of an all-out war aimed at ending the decades-long communist-led insurgency seen in the various operational plans. The chapter highlights the grave consequences—especially for human rights defenders, particularly pastors and church workers who were killed, arrested, or detained or go missing while they are teaching people to know, defend, and fight for their rights. It is underlined that in the context of impunity, where human rights defenders are themselves tagged as enemies of the State and dealt with as such, the surveillant eye of the elements of coercive power focuses on the work, mission, and ministry of the church. Even more, it is a global imperative for the churches to develop communities of support and to organize a

global coalition and network of ecumenical, interreligious, and multi-faith movements in solidarity with human rights defenders, pushing forward the observance and defence of human rights as well as upholding and respecting human dignity.

**Fransina Yoteni** from West Papua, in her chapter, analyzes how environmental destruction and exploitation of natural resources in this part of Melanesia, in combination with attitudes of contempt for the cultural traditions of Indigenous peoples, leads to immense violations of human rights for local people in this context. The conversion of forests for palm oil plantations causes huge ecological disasters. Deforestation then triggers conflicts and human rights violations. Deforestation in this context of West Papua can thus be categorized as an act of cultural genocide against the Indigenous peoples. The general lack of freedom of expression as well as rising tensions between the central government (Jakarta) and Papua led to frequent and heavy human rights violations, such as Wamena berdarah and others. Supporting the development of Papuan Women (Affirmative Action), especially women's economic empowerment, are real partisan steps. It is necessary in this regard to identify innovative practical efforts so that women working in the agricultural and trade sectors can be helped by receiving access to proper information, space, and financial support.



# Greetings at the Conference on Christian Perspectives on Human Dignity and Human Rights

Held 8-12 April 2022 in Wuppertal, Germany,  
Organized by the WCC, EKD, and UEM

## **Welcome from the WCC Acting General Secretary**

Welcome to this public session of the conference on Christian Perspectives on Human Dignity and Human Rights. The World Council of Churches (WCC) is pleased to partner with the United Evangelical Mission (UEM) and the Protestant Church of Germany (EKD) in this important initiative, made even more important by the events taking place in the world these days.

The focus of this public session is on Human dignity and universal human rights—a common vision of churches for human rights and human rights advocacy today.

In 2018, the WCC marked the 70th anniversary of its establishment in 1948, the year in which the foundational instrument of modern international human rights law—the Universal Declaration on Human Rights—was adopted. The fact that the WCC and the UDHR share the same birth year is at least in part due to the same search for unity, justice, peace, and human dignity after the horrors of the Second World War.

As the WCC central committee observed in a 2018 statement adopted for the 70th anniversary of the Declaration, the ecumenical movement “made significant contributions to the articulation of [the Declaration], in particular through the early work of the Commission of the Churches on International Affairs—notably in the drafting of Article 18 on freedom of religion or belief.” So, it could be said that international human rights law is somehow part of the WCC’s DNA.

However, in the same statement, the central committee lamented the fact that “in many parts of the world today the legitimacy of the principles and obligations expressed in international human rights law are being undermined and attacked as never before.” Accordingly, the central committee proposed “a new process of ecumenical reflection and consultation on the relationship

between international human rights law and scripture, theology and Christian ethics.” The present conference is part of the response to this proposal.

Look at the state of our world today. The conflict in Ukraine, the persistence of racism, and the resurgence of forms of nationalism that marginalize, exclude, and demonize the other . . . these and many other things show that the discussion in which we are now engaged is central and urgent.

It is clear that the universal respect for human rights that the Universal Declaration on Human Rights was designed to promote has not been achieved. On the contrary, nations evidently hold very different perspectives on the validity of human rights or of international law in general. Instead, it is the principle of “might makes right” that now seems to predominate once again.

Within the ecumenical movement, too, churches from different traditions, regions, and cultures express different views on human rights and specifically on the relationship between Christian faith principles and international human rights law.

So, in this time of renewed conflict, confrontation, and division, in which the lives and dignity of so many people around the world are under increasing threat, it is of utmost importance that the ecumenical movement strive for unity of understanding of and approach to the protection of the God-given dignity of every human being, without discrimination.

Rev. Prof. Dr Ioan Sauca  
World Council of Churches Acting General Secretary

## **Welcome from the Presiding Bishop of the Council of EKD Churches**

Sisters and brothers, when people have found something to be proud of—and they can be very proud of human rights—there is always an argument about the legacy. Who came up with them in the first place? They belong to our Judeo-Christian heritage, say Christians. They stem from the idea of humankind being made in the likeness of God. Wrong, say the anti-religious people. They are our Enlightenment heritage and were implemented in spite of the churches.

A few years ago, the sociologist Hans Joas disproved both those claims. He showed that they are both right but also not right. He showed that the Enlightenment had a dark side; it did not agree that those it excluded from

humanity in order to be able to colonize their land also had human rights.

Human rights are, and they are also not, the legacy of the Bible. They are and are not the invention of the West. There is no linear progress. The idea of human rights was developed with Christianity *and* the Enlightenment against them, we could say. Human rights are rooted in both but were also damaged by both. The struggle of slaves for liberation played a key role in the idea that every human being is holy and has rights solely through the fact of being human.

Jesus tells of a woman who fought for her rights. The old Luther translation gave the story the title “The Pleading Widow.” Nothing could be further from the truth. This woman does not plead: she persists, she insists on her rights. In the story from Luke 18, the woman goes to the judge and says, “Grant me justice.”

Many do not have this courage. They think I can’t speak well. I don’t know enough. I haven’t got enough money.

This woman is bold. So bold that she even dares to take her cause to a judge who has respect neither before God nor before human beings—or so we hear. I imagine a type of person like Donald Trump or Rodrigo Duterte or Jair Bolsonaro. How complacently arbitrary is the laconic biblical phrase “For a while he refused.”

That is what often happens to human rights. They are smashed against authoritarian posturing. In countries like the Philippines, they clash with the rough displeasure of the rulers. Or judges are replaced, as in Hungary, and those with integrity are replaced by others who are obedient to the government. There are many variations on rights being deprived of justice behind that dry phrase “For a while he refused.” Perhaps he had intentionally overlooked the widow. Perhaps he had denigrated her, as many refugees have experienced. Their use of the right to asylum has been declared to be misuse. Perhaps he dragged out his decision, as frequently happens. People wait for years for judgments, and some die in the waiting.

How many weeks, how many months, how many years may have been contained in the phrase “For a while he refused.” For those who need their rights to live, “for a while” is much too long!

The success story of this woman is as simple as it is exhausting. She does not give up. She persists. She doesn’t let go. It is almost amusing to see how, with time, this woman swells up into a fury in the imagination of the judge.

And you don't have to be a psychologist to see through him. He only wants to get rid of this complaining, bothersome person. And so he finally says, "Though I have no fear of God and no respect for anyone, yet because this widow keeps bothering me I will grant her justice, so that she may not wear me out by continually coming."

Bother me, wear me out, keep coming, that is the widow's clout. That is the strategy of the ordinary people and the movements that advocate for important rights, human rights: keep coming and insisting. That was what the movement "Buy no fruit from South Africa" did, the Madres de Plaza de Mayo in Argentina, and the women of Maria 2.0. That is like the small beginnings of Pro Asyl and the Fridays for Future movement that started with a schoolgirl who, instead of going to school on Fridays, sat in front of the royal palace in Stockholm with a homemade poster.

There are things we cannot leave up to grace and favour: the protection of dignity and life, for example, daily bread; and freedom of expression—everything that human rights guarantee for a person just because they are human. Jürgen Habermas calls human rights a "realistic utopia." For them to become a hands-on reality, they need people like this widow. People who fight for them—even where it seems impossible.

May God bless this conference so that its inspiration falls on fertile ground, and likewise the assembly of the World Council of Churches in Karlsruhe in August and September 2022, sustainably empowering its work in standing up for human dignity and human rights in the years to come.

Rev. Dr h.c. Annette Kurschus

Chair of the Council of the Protestant Church in Germany

## **Welcome from the General Secretary of UEM —Community of Churches**

As general secretary of the United Evangelical Mission (UEM)—a communion of 38 churches in Africa, Asia, and Europe—and the Bodelschwingh Foundation, I would like to extend my warmest greetings to you on the occasion of this international ecumenical meeting organized by the World Council of Churches, the Protestant Church of Germany (EKD), and the UEM.

I am delighted that so many committed theologians from different regions and denominations have come together in Wuppertal, as well as digitally from other countries and continents, to share and discuss what contribution and commitment Christians from around the world can and shall make to ensure that the human dignity and human rights of all people are effectively protected and defended.

What you are doing has a long tradition in the Christian faith, and even before that in the tradition of the Hebrew Bible. Allow me to quote the word which I chose for the baptism of my firstborn daughter:

I have proclaimed the good news of righteousness in the great assembly;  
Indeed, I do not restrain my lips, O Lord, You Yourself know.  
I have not hidden Your righteousness within my heart;  
I have declared Your faithfulness and Your salvation;  
I have not concealed Your loving kindness and Your truth from the great assembly.  
(Psalm 4:9-10)

The Universal Declaration of Human Rights was adopted in 1948 after a terrible war in which more than 60 million people died, in addition to the 8 million mass murders in the German extermination camps.

The consensus of the Declaration, which obliges the protection and guarantee of the rights of their citizens, seems to have become fragile in recent years. But it is not and shall never be negotiable.

The same seems to be the case for the obligation of states, laid down in the Charter of the United Nations in 1945, to respect international law to ensure peace, security, and justice for all nations and people. The terrible war in Ukraine in 2022 has brought to us the urgency of the issues on which many of the participants in this conference have written papers from the perspective of Christians around the world.

It is war again in Europe. Terrible! Unbelievable that after so many cruel war experiences, there are wars again and again.

A quick look at the list kept on Wikipedia for the 21st century alone names 41 wars and warlike conflicts with thousands and thousands of victims: at least 60 to 65 million deaths from wars worldwide since the end of the Second World War.



Psalm 40 says, “I have not hidden Your righteousness within my heart; I have declared Your faithfulness and Your salvation; I have not concealed Your loving kindness and Your truth from the great assembly.”

The liberation of God’s people from slavery in Egypt was followed by the gift of the commandment to live in freedom. Justice is based on the well-being of the weak. Kings, rulers, and governors are not above the law; they are measured by the fact that it is not the law of the strongest that applies, but that all come to their right. That has led God to send Amos, who preached: “Take away from Me the noise of your songs, For I will not hear the melody of your stringed instruments. But let justice run down like water, and righteousness like a mighty stream” (Amos 5:23-24).

The cultic activity is so disgusting to God that he closes his eyes and ears against it because it offends his senses. He can no longer watch and listen to it.

Indeed, he can no longer smell the sacrificial ceremonies because they disgust him.

God lets Amos speak so drastically probably because the people thought they could escape the social duties by great cultic performances, to pay them off by their sacrifices.

Amos does not primarily criticize the celebration of worship but the flight of people from social and human obligations and the false self-assurance into which they have fallen.

But God does not engage in the pious bargain.

In the face of sky-scraping social injustice, he withdraws from all religious attempts at reconciliation that do not get to the root of the evil: God does not want a bombastic cult, but justice.

That’s what it all boils down to: “Let justice flow like waters and righteousness like a never-ending stream.”

The Universal Declaration of Human Rights of 1948 also expresses the fact that it is not the law of the strongest that should apply, but that the dignity and rights of all people should be protected and that governments must base their actions on this obligation.

Human rights do not create heaven on earth, but for us Christians, like the commandments, they are protective fences of law which constrain injustice and protect against uncertainty.

Those who violate and trample on human rights will have to answer for it. This is the hope of the many victims of injustice and violence expressed in the biblical traditions.

In UEM, we maintain close ecumenical relationships with churches in the UEM fellowship and beyond. We know from our partners in the Philippines, in West Papua in Indonesia, in the Democratic Republic of Congo, in Sri Lanka, and in many other places about the suffering, violence, and injustice they have to endure where human rights are trampled.

As Christians all over the world, we see ourselves obliged by our faith, but also by our history, to stand up for human rights in solidarity. Wherever those rights are violated we raise our voices like the psalmist: “I have proclaimed the good news of righteousness in the great assembly; Indeed, I do not restrain my lips.”

Indeed, as a Christian, I cannot be silent—or, as Luther once translated, “I will not have my mouth shut.”

I express my sincere gratitude to you for setting out at this meeting to share different confessional and regional perspectives on human dignity and human rights and to develop and strengthen common convictions and recommendations for the churches’ contribution to the protection of human rights. Please keep on speaking up and proclaiming economic and social justice. Keep on fighting for human rights and dignity.

Rev Volker Martin Dally  
General Secretary of the United Evangelical Mission



**Section 1:**  
**Human Rights, the United Nations,**  
**and the World Council of Churches**





## A Controversial and Politicized Issue: The World Council of Churches and Human Rights from the 1950s to 1989<sup>1</sup>

Katharina Kunter

### Recent Debates in Historiography

The historiography of human rights in the 20th century has boomed over the past 10 years, due in part to the inspiring and widely received work of the American historian Samuel Moyn. His 2010 book *The Last Utopia: Human Rights in History*<sup>2</sup> is particularly worthy of mention here because it triggered the debate and question of how far Christianity was contributing to the formulation and declaration of human rights. The continuing interest and recent research motivated him to write another book in 2015, *Christian Human Rights*,<sup>3</sup> in which he specifically speaks of the relationship of Christianity to human rights. In the book, he argues that human rights first emerged in Europe in the 1930s and 1940s as a primarily conservative

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1. The following reflections summarizes ideas from different previously published articles. See especially Katharina Kunter, "Christianity, Human Rights, and Socio-Ethical Reorientations," in *History of Global Christianity*, Vol. 3: 20th Century, ed. Jens Holger Schjorring Norman A. Hjelm, and Kevin Ward (Leiden: Brill, 2018), 127–46 (German edition: Katharina Kunter, "Christentum, Menschenrechte und sozialetische Neuorientierungen," in Jens Holger Schjorring, Norman A. Hjelm, Kevin Ward (Hg.), in *Geschichte des globalen Christentums*. Teil 3: 20. Jahrhundert (Stuttgart: Kohlhammer, 2018), 209–37). See also Katharina Kunter and Annegreth Schilling, eds, *Globalisierung der Kirchen. Der Ökumenische Rat der Kirchen und die Entdeckung der "Dritten Welt" in den 1960er und 1970er Jahren* (Göttingen: Vandenhoeck and Ruprecht, 2014); Katharina Kunter, "Global Reach and Global Agenda: The World Council of Churches," in *The Changing World Religion Map: Sacred Places, Identities, Practices and Politics*, ed. Stanley D. Brunn (New York: Springer, 2015), 2909–23 (ch. 153); Katharina Kunter, "Die Schlussakte von Helsinki und die Diskussion im ÖRK um die Verletzung der Religionsfreiheit in Ost- und Mitteleuropa 1975-1977," *Ökumenische Rundschau* 49 (2000), 43–51; Katharina Kunter, *Die Kirchen im KSZE-Prozess 1968-1978* (Stuttgart: Kohlhammer, 2000). This footnote should not be numbered but marked with an asterisk \*

2. Samuel Moyn, *The Last Utopia: Human Rights in History* (Cambridge, MA: Harvard University Press, 2010).

3. Samuel Moyn, *Christian Human Rights: Intellectual History of the Modern Age* (Philadelphia: University of Pennsylvania Press, 2015).

Christian project. This argument has been taken up and developed by other historians, such as Marco Duranti,<sup>4</sup> into the idea of a conservative human rights revolution, which after the Second World War would have contributed to the emergence of a conservative Cold War world order. These interpretations, however, experienced different clarifications as well as contradiction. One of the current research contributions to the debate was recently presented by Sarah Shortall and Daniel Steinmetz-Jenkins in *Christianity and Human Rights Reconsidered*.<sup>5</sup>

Without going too deeply and in too much detail into these new academic fields and research contributions, from the perspective of Protestant church historiography, however, one general direction is noteworthy: the contributions of the World Council of Churches (WCC) and the Commission of the Churches on International Affairs (CCIA) play only a marginal role in these debates. This may well be due to a lack of expertise as well as the fact that fewer Protestant historians overall are present in the ongoing discussions. Also, Nurser's book may have left the impression that the contributions of the ecumenical movement had already been explored.<sup>6</sup> The focus of the current debate is therefore mainly on the Catholic Church and Catholicism; a fulcrum centres on the French philosopher Jacques Maritain and his personalism in the 1940s. In this context, it is worth remembering that one of the sharpest critics of Maritain's personalism in the 1940s was later general secretary of the WCC, the Dutch Protestant Willem Visser 't Hooft, as Jurjen Zeilstra pointed out in his recently published academic biography about Visser 't Hooft.<sup>7</sup> Against this backdrop, it would be worthwhile to examine and analyze the human rights engagement of the WCC once again under the new questions—if only because this would remind researchers of the contributions and presence of the WCC in a current secular, historical research debate. In this context, it should be emphasized that the WCC is not a purely Protestant church body but also includes churches in the heritage of the Reformation, such as the Anglican Church and Orthodox churches.

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4. Marco Duranti, *The Conservative Human Rights Revolution: European Identity, Transnational Politics, and the Origins of the European Convention* (Oxford: Oxford University Press, 2017).

5. Sarah Shortall and Daniel Steinmetz-Jenkins, eds., *Christianity and Human Rights Reconsidered* (Cambridge, UK: Cambridge University Press, 2020).

6. John S. Nurser, *For All People and All Nations: The Ecumenical Church and Human Rights* (Washington, DC: Georgetown University Press: 2005).

7. Jurjen Zeilstra and Willem Adolf Visser 't Hooft, *Ein Leben für die Ökumene* (Leipzig: Evangelische Verlagsanstalt, 2020), 132.

Because of this denominational diversity, it is even more serious that, at the moment, the history of the WCC and the WCC as an historical actor are in danger of being forgotten in this field.

## **A Strong Stand on Religious Liberty in the 1950s and Early 1960s**

Matti Peiponen has shown in his chapter<sup>8</sup> how the early WCC accompanied the human rights work of the United Nations from the very beginning through its Commission of the Churches on International Affairs, which was founded in 1946. The CCIA, especially under its first director, Frederik O. Nolde, gave considerable impetus to the early debates on the Universal Declaration of Human Rights (UDHR) and the parts on religious liberty (Article 18). In line with this, the WCC strongly supported human rights at the 1st Assembly of the WCC in August 1948 in Amsterdam and passed a resolution on religious liberty.<sup>9</sup> The UDHR was issued soon after, on 10 December 1948. In the 15 following years, the implementation of religious liberty—and, in concrete terms, the work on behalf of the oppressed Protestant Christians and churches in communist Central and Eastern Europe, as well for Protestant minorities—became one of the key goals of the WCC. It was rooted in the overarching ecumenical idea of the social ethical concept of the responsible society that had marked the post-war period.<sup>10</sup> The 2nd Assembly of the WCC in New Delhi in 1961, where 40 percent of participants came from countries of Africa, Asia, and Latin America, also expressly declared its support for the principles of religious liberty in its section V.<sup>11</sup> At the same time, the assembly acknowledged the commitment of the CCIA to the dynamic further development of civil, political, economic, social, and cultural human rights. Even though the WCC in New Delhi was still moving within the post-war coordinates of the Third Way, the concept of

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8. See the chapter by Matti Peiponen, “International Affairs in the Focus of Ecumenical Work: Human Rights and the WCC from 1948 Till Today,” in this volume.

9. Willem Visser ‘t Hooft, ed., *The First Assembly of the World Council of Churches, Held in Amsterdam, 22 August to 4 September 1948* (London: 1949), 78, 93f., 97f.

10. See Katharina Kunter and Annegreth Schilling, “Der Christ fürchtet den Umbruch nicht.” *Der Ökumenische Rat der Kirchen im Spannungsfeld von Dekolonisierung, Entwestlichung und Politisierung*,” in *Globalisierung der Kirchen. Der Ökumenische Rat der Kirchen und die Entdeckung der “Dritten Welt”*, ed. Katharina Kunter and Annegreth Schilling, (Göttingen: Vandenhoeck and Ruprecht, 2014), 19–74.

11. Willem Visser ‘t Hooft, ed, *Neu-Delhi 1961. Dokumentarbericht über die Dritte Vollversammlung des Ökumenischen Rates der Kirchen* (Stuttgart: Evang. Missionsverlag, 1962), 298ff.



the responsible society, and the emphasis on religious freedom, the immense social and geopolitical upheavals of the coming years, which were to be set in motion by decolonization, were already looming.

The increasing internationalization and globalization of the WCC and its member churches, which was set in motion during these years, eventually led to a gradual farewell to the Anglo-Saxon liberal interpretation of human rights, the “first-generation rights,” dominant up to that point in the WCC. The time of the “second-generation rights” began. One consequence of this upheaval was that religious liberty was now interpreted as one single human right among other human rights and was no longer seen as one to be pursued as a priority for the WCC. As a result, work against infringements of religious liberty in communist Central and Eastern Europe lost importance. It was now seen as a Europe-centric concern for which the Conference of European Churches should take over responsibility.<sup>12</sup> This trend corresponded with international developments in the same period. The various United Nations organizations also followed the new path under the keyword “development.”<sup>13</sup> The situation was similar in relation to the Human Rights Commission of the United Nations, in which the voices of decolonized countries were becoming more pressing after the Bandung Conference of 1955. For them, countries’ right to self-determination and the resultant free economic disposal of their resources were a prime, central human right, which was at the same time expected to protect against any repetition of colonialism. With this concern, they were finally able to assert themselves in the Human Rights Commission of the United Nations, foremost in the International Covenant on Economic, Social, and Cultural Rights, which was made legally binding on 16 December 1966, then passed together with the International Covenant on Civil and Political Rights.

## **Call for Social and Cultural Rights:**

### **The Late 1960s and 1970s**

The international developments sketched here were also implemented in the WCC and contributed to the fact that from the late 1960s on, the call for social and cultural human rights—and, in this context, the church’s advocacy

12. Kunter, *Die Kirchen im KSZE-Prozess*, 195.

13. See Katharina Kunter and Annegreth Schilling, “‘Der Christ fürchtet den Umbruch nicht.’ Der Ökumenische Rat der Kirchen im Spannungsfeld von Dekolonisierung, Entwestlichung und Politisierung,” in *Globalisierung der Kirchen. Der Ökumenische Rat der Kirchen und die Entdeckung der “Dritten Welt”*, ed. Katharina Kunter and Annegreth Schilling (Göttingen: Vandenhoeck and Ruprecht, 2014), 19–74.

of social justice—was becoming increasingly significant at the WCC. Political influences from the Latin American networks *Iglesia y Sociedad en América Latina* and *Comisión Evangélica Latinoamericana de Educación Cristiana* on the one hand,<sup>14</sup> and the Afro-American civil rights movement around Martin Luther King on the other, played an important role. King was closely associated with the second general secretary of the WCC, Eugene Carson Blake of the United States, who took office in 1966, and King visited the Ecumenical Centre in Geneva in 1967.

How influential this connection was became apparent at the 4th Assembly of the WCC in Uppsala, Sweden, in July 1968. King had been expected to preach the opening sermon in Uppsala's cathedral. His murder three months earlier had deeply shaken the ecumenical representatives. A clear word from the WCC and the ecumenical movement against racism was urgent. Therefore, section IV now held that any form of racial discrimination was a “blatant denial of the Christian faith” and had to be seen as the most serious violation of human rights.<sup>15</sup> At the same time, reference was made to the two human rights treaties, observing that individual and collective human rights should not be regarded in isolation from each other. This interlinking of individual and collective human rights meant that the realization of individual human rights depended on the economic and social background in each case. Ecumenical commitment to human rights would therefore contribute to the dismantling of unjust structures and to efforts toward a better and fairer world.

Through the connection made between human rights and the struggle against unjust structures, human rights gained a new set of moral objectives in the ecumenical world.<sup>16</sup> Its new, mainly social human rights-oriented

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14. Annegreth Schilling, *Revolution, Exil und Befreiung. Der Boom des lateinamerikanischen Protestantismus in der internationalen Ökumene in den 1960er und 1970er Jahren* (Göttingen: V&R Academic, 2016); Christian Albers, “Der ÖRK und die Menschenrechte im Kontext von Kaltem Krieg und Dekolonisierung,” in *Globalisierung der Kirchen. Der Ökumenische Rat der Kirchen und die Entdeckung der “Dritten Welt”*, ed. Katharina Kunter and Annegreth Schilling (Göttingen: Vandenhoeck and Ruprecht, 2014), 201.

15. Norman Goodall, ed., *Bericht aus Uppsala 1968. Offizieller Bericht über die vierte Vollversammlung des Ökumenischen Rates der Kirchen, Uppsala 4.-20.7.1968* (Geneva: WCC, 1968), 66ff.

16. See, e.g., Moyn, *Last Utopia*; Samuel Moyn and Jan Eckel, eds, *Moral für die Welt? Menschenrechtspolitik in den 1970er Jahren* (Göttingen: Vandenhoeck and Ruprecht, 2012); Stefan Ludwig-Hofmann, ed., *Moralpolitik. Geschichte der Menschenrechte im 20. Jahrhundert* (Göttingen: Wallstein, 2010).

interpretation triggered controversies, however. A serious point of dispute was the extent to which human rights were a matter of Western norms which aided the continuation of colonial and capitalist structures, or whether the Western individual approach should be halted precisely by means of an anti-Western and anti-colonial reading. In the ecumenical world, in most cases the collective-social interpretation of human rights carried the day, having strong roots in Latin American liberation theology.<sup>17</sup> One result of this change of direction was that global discussion in the ecumenical world in the 1970s released the topic of human rights from the Western liberal understanding and the bipolarity of Eastern and Western Europe. This is clearly illustrated by the following quote from a meeting of the CCIA executive committee in 1971:

This conception will necessarily move beyond the Western liberal interpretation that views individual rights as supreme, to give emphasis to collective rights of all men to act in the pursuit of dignity free from exploitation by their fellow-men whether this exploitation is political or economic in character.<sup>18</sup>

The implementation of human rights in an integrative ecumenical social ethics, however, remained a matter for the leading ecumenical elite. For the church base, on the other hand, the active struggle of the ecumenical world against racism was a much more challenging and mobilizing enterprise. After Uppsala, the Programme to Combat Racism (PCR) was established in 1969 as a binding WCC program of study and consultation.<sup>19</sup> It was directed primarily to the combating of and liberation from white and institutional racism, including within the ecumenical world. A key element of this program consisted in equipping minorities and disadvantaged groups to free themselves from unjust structures—with a special fund also supporting liberation movements, even if they were unwilling to draw the line at violence.

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17. Schilling, *Revolution, Exil und Befreiung*.

18. Quoted by Christian Albers, “Der ÖRK und die Menschenrechte im Kontext von Kaltem Krieg und Dekolonisierung,” in *Globalisierung der Kirchen. Der Ökumenische Rat der Kirchen und die Entdeckung der “Dritten Welt”*, ed. Katharina Kunter and Annegreth Schilling (Göttingen: Vandenhoeck and Ruprecht, 2014), 202.

19. Antti Laine, *Ecumenical Attack against Racism: The Anti-Racist Programme of the World Council of Churches, 1968–1974* (Helsinki: Luther-Agricola-Gesellschaft, 2015).

This led in some cases to heavily controversial discussions in the member churches.<sup>20</sup>

## The Year 1975 as a Crossroads

In a certain way, the two traditions in the WCC regarding human rights came together in 1975 as if in a magnifying glass through two decisive historical events:

1. The signing of the Helsinki Final Act in August 1975, with its principle VII in the catalogue of principles. Principle VII guaranteed the recognition of human rights and basic freedoms between signatory states and went hand in hand with the so-called Basket 3 of the Final Act, which regulated the concrete cooperation in humanitarian and other areas based on human rights.
2. The 5th Assembly of the WCC, which took place in December 1975 in Nairobi, Kenya. Here, the two members of the Russian Orthodox Church, Gleb Yakunin and Lev Regelson, had addressed an open letter to the WCC in which they asked the WCC to officially condemn the violation of religious freedom in the USSR.<sup>21</sup> The letter created a difficult situation: Should the WCC now take an official stand on the violation of religious freedom in Eastern Europe? The assembly sidestepped the conflict and finally only formulated that the alleged denial of religious freedom had been discussed. After the WCC's assembly in Nairobi, the CCIA organized an evaluation conference in Montreux (Switzerland) in 1976, in which the member churches should report restrictions on religious freedom that had been made so far.<sup>22</sup> But in the debate, which was strongly polarized by Cold War tensions, the clear

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20. See, e.g., Sebastian Tripp, "Das Programm zur Bekämpfung des Rassismus und die 'Globalisierung' der Kirchen," in *Globalisierung der Kirchen. Der Ökumenische Rat der Kirchen und die Entdeckung der "Dritten Welt"*, ed. Katharina Kunter and Annegreth Schilling Göttingen: Vandenhoeck and Ruprecht, 2014), 298–311.

21. A more detailed discussion is found in Katharina Kunter, "Die Schlussakte," 43–51.

22. In a memorandum of 28 May 1975, Dwain Epps emphasized: "It is indeed incredible how little attention people are giving in Europe, and if I may say so especially in Eastern Europe, to some of the broader world-wide dimensions of the current steps towards Security and Cooperation in Europe. The Third World does not take this as a gift given to them by generous Northerners." (Archive of the CCIA / Helsinki Colloquium Background Materials pre-1976.) See further Ninan Koshy, *Religious Freedom in a Changing World* (Geneva: WCC, 1992).

words of the WCC that mainly Western media representatives hoped for failed to materialize.

In this context, the 1975 assembly meant the end of the dominance of religious liberty and thus the individual human rights within the WCC. One result of this change of direction was that global discussion in the ecumenical world in the 1970s released the topic of human rights from the bipolarity of East and West.

All these developments happened at the same time, as Christians and oppositional groups to Christians first turned to individual human rights in Central and Eastern Europe, in accordance with the Helsinki Final Act. Part of this was the Czech citizens' rights movement *Charta 77*, founded in 1977, and the initiative for peace and human rights founded in the German Democratic Republic as late as 1986. In many cases, committed members of these groups included Protestant Christians, both pastors and laity. In their commitment to human and citizens' rights, they generally stood opposed to the state and their own church leadership—another dilemma for the WCC, whose member churches of Central and Eastern Europe were in almost all cases very close to the official politics of the communist states.

## **A Global Turning Point: 1989–90**

The collapse of the communist states in Central and Eastern Europe in 1989–90 brought a definitive end to the post-war order and world politics characterized by the East–West divide and the Cold War.<sup>23</sup> This had various far-reaching effects for the WCC; it could be seen as a winner as well as a loser at the same time. On one hand, the ecumenical movement lost its significance in Central and Eastern Europe, where numerous Christians had campaigned—individually, in parishes, or in oppositional groups—for democracy and for the validity of the liberal and individual human rights and felt let down here by the official ecumenical movement. On the other hand, the apartheid system in South Africa was brought to an end in February 1990, and in 1994 Nelson Mandela, supported by the ecumenical world, was elected the first Black president of South Africa. Here, too, the struggle against the apartheid regime was naturally a result of the struggle for human rights.

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23. Further, see Klaus Koschorke, ed., *Falling Walls: The Year 1989/90 as a Turning Point in the History of World Christianity / Einstürzende Mauern. Das Jahr 1989/90 als Epochenjahr in der Geschichte des Weltchristentums* (Wiesbaden: Harrasowitz Verlag, 2009).

At the same time, the end of the Cold War brought new shocks because it turned out that the Cold War had also “civilized” church and political conflicts to the extent that they were often not pursued in the open. The civil wars in Europe that broke out after the end of the Cold War, the new authoritarian systems emerging across the world, the genocides, as well as the strengthening of militant Islamism once again brought the issue of human rights violations back onto the political agenda.

If one surveys the WCC’s involvement in human rights in the second half of the 20th century, it is evident that after 1945, human rights stimulated intercultural discussions in the Christian churches and the ecumenical movement and called attention to globally experienced injustices. Through worldwide links between the various churches and ecumenical communication, human rights experienced global remoulding in the direction of collective and social human rights. The importance of individual human rights, which also became clear after the Cold War, did not diminish as a result. This also shows that human rights are not a fixed dogma but that their subjects are determined again and again in disputes and discussions. They are expandable, as can be seen in the current debates and implementations of the third generation of human rights.



## Political Involvement as an Inescapable Reality of Christian Responsibility

Peter Weiderud

### **Human Rights and the WCC from 1948 till Today: Historic Perspectives, Achievements, Shortcomings, and Lessons Learned**

When it was signed at the Fairmont Hotel in San Francisco on 24 October 1945, the preamble of the UN Charter read, “We the peoples of the United Nations determined to save succeeding generations. . . .” It included two additional concerns raised by the ecumenical lobby: a Commission on Human Rights and an article providing for consultation with NGOs. Following this powerful start, the WCC has with great success influenced the UN and addressed human rights concerns for 75 years. The methods have shifted, but the achievements are significant.

Having spent the best part of my life with one foot in the church and the other in politics or governmental affairs, I have had many opportunities to argue for the importance of the church’s involvement in political and international affairs.

Much of the church and ecumenical movement’s involvement after the formation of the United Nations (UN) can be connected to the work of Otto Fredrick Nolde, who made a significant impact on politics and international affairs. Together with other committed colleagues and people of faith, the American Lutheran seminary professor from Philadelphia made a remarkable contribution to the foundation of the UN and to the Universal Declaration on Human Rights (UDHR).

Nolde was chosen by the NGO community as its representative at the UN’s tenth anniversary celebration, held in San Francisco in 1955. During the UN’s first years, he was widely recognized as the most influential NGO representative. Nolde and his team influenced the wording of the UN Charter and secured the establishment of the Commission on Human Rights (CHR) that prepared for the UDHR. He was asked to draft the article on religious



freedom and to comment on the others.

Nolde's involvement begun in spring 1942, when he attended the Delaware (Ohio) National Study Conference on International Affairs, which led to an invitation to the Federal Council of Churches' Commission to Study the Bases of a Just and Durable Peace (CDJP). In 1944, he was appointed executive secretary of the Joint Committee on Religious Liberty.

The CDJP was chaired by John Foster Dulles, the son of a Presbyterian minister and professor of theology. Dulles was a prominent figure in the Republican Party and appointed US Secretary of State in 1953 by President Dwight D. Eisenhower. He held this position until his death in 1959. During the critical years of the church's contribution to the formation of the new world order after the war, Dulles and Nolde worked closely together. Even though they disagreed on policy issues, Dulles continued to appreciate Nolde, telling him, "It is too bad I'm not in a position where I can share my reasons with you. But any time you want a job as assistant secretary of state, it's yours."<sup>1</sup>

The CDJP published several studies on post-war reconstruction. The most useful production was entitled "Six Pillars of Peace," a popular digest and summary of the CDJP's "Statement of Political Propositions." Copies were sent to congregations all over the country, with money coming in and a broad concern on post-war reconstruction emerging.

The six propositions stated:

- I. The peace must provide the political framework for a continuing collaboration of the United Nations and, in due course, of neutral and enemy nations.
- II. The peace must make provision for bringing under international supervision those economic and financial acts of national governments that have widespread international repercussions.
- III. The peace must make provision for an organization to adapt the treaty structure of the world to changing underlying conditions.
- IV. The peace must proclaim the goal of autonomy for subject people, and it must establish international organization to assure and to supervise the realization of that end.

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1. John Nurser, *For All Peoples and All Nations: Christian Churches and Human Rights* (Geneva: WCC Publications, 2005), 28.

- V. The peace must establish procedures for controlling military establishments everywhere.
- VI. The peace must establish in principle, and seek to achieve in practice, the right of individuals everywhere to religious and intellectual liberty.<sup>2</sup>

International travel became difficult during the war, and there were few opportunities to internationalize this ecumenical concern. To validate internationally the concerns expressed in the “Six Pillars of Peace,” the CDJP convened a round table on international affairs in Princeton in July 1943. A few British and Australian delegates travelled to the US, while other countries had to be represented by people already living in exile in the US.

The “Six Pillars of Peace” offered important correctives to the draft blueprint for the UN that was produced at the Dumbarton Oaks Conference in Georgetown, Washington, DC, in 1944. An appeal was made for the incorporation of human rights provisions into the charter, the establishment of the CHR, and the recognition of the “great powers,” while also granting every nation, great and small, a voice.

At the founding conference of the UN in San Francisco, Nolde and other members of the church delegation strongly pleaded that the UN must not just be a state instrument. Rather, it must also give expression to the aspirations of the people of the world. The lack of this, they argued, was one of the main reasons why the League of Nations had failed. Therefore, they urged for a preamble stating this vision and the inclusion of an article that would guarantee people direct access to the UN’s deliberations.

The preamble to the UN Charter read: “We the peoples of the United Nations determined to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind.”<sup>3</sup> The CHR was accepted, and an article providing for consultation with NGOs was included.

Looking back at the role the churches played in the formation of the UN, US Secretary of State Dulles said:

As originally projected at Dumbarton Oaks, the organization was primarily a political device whereby the so-called great powers were

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2. Nurser, *For All Peoples*, 191.

3. “Preamble,” United Nations Charter, 1945, <https://www.un.org/en/about-us/un-charter/preamble>.

to rule the world. . . . It was the religious people who took the lead in seeking that the organization should be dedicated not merely to a peaceful but to a just order. . . .<sup>4</sup>

The year following the birth of the UN, the CDJP organized the meeting in Cambridge at which the Commission of the Churches on International Affairs (CCIA) was formed jointly between the World Council of Churches (WCC), which was in the process of formation, and the International Missionary Council. The CCIA was created to ensure an effective relationship between the churches and the new global body's leadership. It was also to provide the means necessary to represent the WCC member churches at the UN. Nolde became its first director.

The CCIA was one of the first international NGOs to be granted consultative status with the UN Economic and Social Council (ECOSOC). It was instrumental in helping to shape the Conference of NGOs in Consultative Status with the United Nations (CONGO), with the help of specialized committees in New York and Geneva in the areas of human rights, disarmament, and development. For many years, the CCIA provided immeasurable leadership. Nolde's biographer even notes that CCIA staff were often highly regarded in the UN's inner circles for both their expertise and the pastoral role several of them took with diplomats and senior officials.

For the CCIA, engagement in human rights work was of immediate concern. Having succeeded with the CHR, the foundation was laid for the adoption of the UDHR. Eleanor Roosevelt chaired the CHR, which adopted the UDHR on 10 December 1948. Nolde and his staff worked closely with her and the CHR. He played a significant role in the drafting of the UDHR, contributing particularly to the formulation of Article 18 on religious liberty:

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 manifest his religion or belief in teaching, practice, worship and observance.<sup>5</sup>

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4. Dwain D. Epps, ed., *The Churches in International Affairs, Reports 1995–1998* (Geneva: WCC, 2004), 96.

5. Article 18, Universal Declaration of Human Rights.

At the time, much of the energy in the churches regarding the protection of religious freedom originated in the Protestant missionary movement. Many hoped that the new post-war international institutions and rights would serve as instruments to promote Christianity. The campaign for religious liberty depended on a particular religious point of view; it required an explicit religious foundation.

Nolde gradually modified his opinion. As early as 1944, Nolde concluded that a strongly parochial bias would weaken the appeal of human rights for those who did not share his Protestant outlook or, for that matter, any religious outlook at all. He said that “freedom demands a broader base than can be offered by religion alone” and, moreover, that ideas about extending religious liberty needed to be placed in a “secular context.”<sup>6</sup>

By secular context, Nolde evidently meant a common, religiously impartial moral space shared by peoples of different fundamental commitments and identities.

Having contributed to the drafting of the UDHR, Nolde and the CCIA staff went to work on issues such as decolonization, peace and war, refugee protection and relief, the status of women, women in development, eradication of poverty, and racism. Through the regular production of a pre-assembly memorandum, which was circulated to all permanent missions at the UN headquarters, the CCIA brought the WCC’s positions on the growing number of items on the General Assembly’s agenda to the attention of the delegations.

In 1969, Nolde retired from the CCIA. He died in 1972 and was therefore not involved in the events of the 1980s that helped to end the Cold War, the strengthening of human rights, and the improved dialogue between East and West. However, he had played an important role in the preparation for some of these developments, such as regularly pressing Dulles to keep doors open to the Soviet Union.

The years leading up to Nolde’s retirement were perhaps the most difficult for him. The sophisticated structures he had built up and staffed for engagement with the UN were beginning to be questioned within the WCC. Some people argued that these structures were an inappropriate use of available resources and less relevant to the churches’ new style of advocacy, inspired by the movement of 1968.

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6. Nurser, *For All Peoples* (note 1), xi.

The primarily healthy tensions between engagement and resistance, pragmatism and proclamation, involvement and isolation in relation to political challenges have always been and continue to be present in the ecumenical movement. During his three decades of service to the churches, the ecumenical movement, and international affairs, Nolde was able to develop and refine the art of engagement, pragmatism, and involvement better than anyone else. If we measure the results of his work by the level of political impact on and improvement in many people's lives, Nolde's accomplishment was one of the most successful in the history of the ecumenical movement.

His most important legacy is having brought the voice of the voiceless and victims' perspectives to the attention of the political decision-makers and power structures. From the 1970s until the 1990s, when the UN's CHR work was at its peak, the CCIA was one of the first organizations to bring victims of human rights violations and church leaders from Latin America, Asia, and Africa to give direct testimonies of their situation. These were the days of military dictatorships in those regions. The testimonies contributed to the development of standards on torture, disappearances, extra-judicial killings, violence against women, and other topics.

The WCC's 4th Assembly in 1968 equipped the CCIA to meet the new challenges of the time. A new director was appointed in Leopoldo Niilus, a lawyer from Argentina, born in Estonia, who gathered a new generation of staff. Diplomatic work around the meetings in the UN was complemented with mobilizing member churches to be in solidarity with victims of gross human rights violations. Member churches and regional ecumenical bodies established human rights programs, and the CCIA cooperated in the UN with other like-minded NGOs, such as the International Commission of Jurists and Amnesty International, to develop a normative response of international law for the prohibition of torture, forced disappearance, and other atrocities that followed military dictatorships of the time.

At one of the CCIA's key consultations on human rights in 1974, in St Pölten, a group of 50 people from 34 countries reached a clear consensus on establishing a basis for Christian involvement in human rights. The consultation noted the emphasis of the gospel on the value of all human beings in the sight of God, on Christ's atoning and redeeming work that has given true dignity to the human person, love as a motive for action, and love for one's neighbour as the practical expression of an active faith in Christ. With this biblical undergirding of faith, the participants were able to clarify what constitutes human rights for the churches as well as Christian responsibility.

A year after St Pölten, the 5th Assembly of the WCC in Nairobi was called to draw up the WCC's human rights agenda. In laying down the basis for its work, the assembly observed:

The struggle of Christians for human rights is a fundamental response to Jesus Christ. That gospel leads us to become ever more active in identifying and rectifying violations of human rights in our own societies, and to enter into new forms of ecumenical solidarity with Christians elsewhere who are similarly engaged. It leads us into the struggle of the poor and the oppressed both within and outside the church as they seek to achieve their full human rights and frees us to work together with people of other faiths and ideologies who share with us a common concern for human dignity.<sup>7</sup>

The CEC, together with the national council of churches in the US and Canada, took a lead in a systematic response to the advocacy for human rights at the last decade of the Cold War with The Churches' Human Rights Programme for the Implementation of the Helsinki Final Act. This provided a structure to address the East–West confrontation without neglecting North–South relations and the call for global justice. A small secretariat in Geneva coordinated church delegations to participate in all major meetings of the Conference for Security and Cooperation in Europe (CSCE).

The Ecumenical movement is both a reflection of the challenges of the time and a response to them. When the First European Ecumenical Assembly came together in Basel, Switzerland, in May 1989, the Cold War was coming to an end and the churches boldly and with expectations spoke: “the full implementation of the international human rights agreements on civil, political, economic, social and cultural rights, and of the instruments for their concrete application” in order to “overcome situations of injustice, dealing with discrimination, racism, sexism, torture, disappearance and killing of people and other violations of human rights, including the right of peoples and nations of self-determination.”<sup>8</sup>

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7. David M. Paton, ed., *Breaking Barriers*, Nairobi 1975. The Official Report of the Fifth Assembly of the World Council of Churches (Geneva: WCC Publications, 1976), 102.

8. Final Document of the European Ecumenical Assembly, “Peace with Justice for the Whole Creation,” § 84c; in *Peace with Justice: The official documentation of the European Ecumenical Assembly, Basel, Switzerland, 15-21 May 1989* (Geneva: Conference of European Churches, 1989).

The end of the Cold War also inspired the churches in Basel to speak about abolishing the institutions of war. However, at the Second European Ecumenical Assembly in Graz in 1997, the experiences from the Balkan wars and the genocide in Rwanda in 1994 made the churches address the dilemmas in responding to immediate gross human rights violations, which the CCIA picked up by initiating a consultative process on the Responsibility to Protect (R2P). Knowledgeable representatives from both the Peace Churches and the churches influenced by the Just War tradition worked together in formulating an ecumenical response to the post-Cold War dilemma of domestic conflicts, inability of states to provide security for their populations, and the international community's ability to respond in a crisis.

That process remained critical to the concept of humanitarian intervention, pointing to the fact that military forces are trained and equipped for situations when lines are clearer between friends and enemies and that the use of force in international relations reflects the failure of the international community to respond in time. Nevertheless, the dilemma had to be addressed. The WCC general secretary, Dr Konrad Raiser, shared the findings at a public seminar in New York in 2003:

to protect the civilian population and to facilitate the re-establishment of a functioning framework of public order, the legitimacy of international action will be judged on the basis of different criteria than those of military effectiveness. The basic objective of any international intervention must be to re-establish a functioning framework of government which can assume the responsibility to protect, however imperfectly. This calls for a strategy of interventions which limits the role of military force to those exceptional examples which call for robust action and instead follows the defensive logic of police operations. They may be less effective in the short run, and may appear to respond to symptoms only, instead of addressing root causes. However, they generally leave the existing infrastructure and the fabric of public order intact and seek to cooperate with and affirm the forces of civil society, especially the religious communities, with a view to strengthening the capacities of the community to defend itself against the sources of disruption and insecurity.<sup>9</sup>

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9. Konrad Raiser, "Humanitarian Intervention or Human Protection?" *The Ploughshares Monitor* 25:1 (Spring 2004).

By recognizing the dilemma of humanitarian crisis, the WCC had a fruitful dialogue with the UN and member states on R2P before and up to the Summit on UN Reform in 2005. The process concluded with the WCC's 9th Assembly in Porto Alegre, Brazil, in February 2006, which adopted the resolution "Vulnerable Populations at risk, Statement on the responsibility to protect."

Otto Fredrick Nolde's legacy was clearly present in Porto Alegre. In the assembly statement on UN reform, there was a clear reference to the contribution of Nolde and his team:

When the UN was founded in 1945 it was guided by the vision: to save succeeding generations from the scourge of war, to affirm faith in fundamental human rights, to establish the basic conditions for justice and the rule of law, and to promote social progress and better standards of life in larger freedom. People of faith inspired this vision, and it has been the basis for the strong support that the WCC has rendered to the work and the aspirations of the UN and to the principle of multilateralism throughout its 60 year history.<sup>10</sup>

Unfortunately, the dialogue with the UN and member states on R2P was difficult to maintain. The experiences from interventions in Afghanistan, Iraq, and Syria has shown the difficulties of international community to find the responsible approach to humanitarian crises. At the same time, the CCIA went through restructuring and merger with other commissions after Porto Alegre, and some memory was lost. At the International Ecumenical Peace Convocation in Kingston, Jamaica, in 2011, which coincided with the UN-mandated intervention in Libya, the statement offered limited space for dilemma or dialogue with the UN: "We as churches are in a position to teach nonviolence to the powerful, if only we dare."<sup>11</sup>

As I write this, we have just experienced the collapse of the efforts from the Western world to intervene in Afghanistan. The ideas of R2P were brutally misused in a campaign that was primarily put in place to fight terrorism with military means. The distance between that reality and the careful reflection on R2P which CCIA carried out 20 years earlier offers limited space for dialogue. Still, I am concerned when churches are not carefully nurturing the dialogue space with international institutions and governments. Now in

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10. Report from the Public Issues Committee of the Ninth WCC Assembly, UN Reform.

11. "Glory to God and Peace on Earth: The Message of the International Peace Convocation," Kingston, Jamaica, 2011.



particular, when so many policy makers are confused, and we are not only facing the risk of repeated mistakes like Afghanistan but also passivity from the international community in relation to humanitarian crises as a result, that space for dialogue has a potential for good results.

Nolde inspired many Christians to look at political involvement as an inescapable reality of Christian responsibility. The biblical promise of a new heaven and a new earth (Rev. 21:1) where love will prevail continues to invite us as Christians to engage in the world. It is the contrast between that vision and reality that makes this invitation compelling and urgent.

One brainchild of the CCIA from the same time, which has survived and continues to develop, is the Ecumenical Accompaniment Programme in Palestine and Israel (EAPPI). Since 2002, EAPPI has provided churches worldwide with an instrument to act together as they seek to address the root causes of the Israeli–Palestinian conflict. EAPPI accompanies Palestinians and Israelis in nonviolent action to address human rights violations and to carry out concerted advocacy efforts to end the illegal occupation.

Another example of strong church involvement in international affairs from that time was the coordinated critique against the war in Iraq. On 20 March 2003, when the US-led coalition started the war, WCC general secretary Konrad Raiser declared the pre-emptive military attack to be immoral, illegal, and ill-advised. His was not a lone voice in the ecumenical family. During the whole Iraq crisis, the member churches of the WCC and other actors in the ecumenical family were able to maintain a clear, common, and consistent language that was also in harmony with the voice of the Roman Catholic Church.

The CCIA and WCC produced many statements prior to the war. One of the most helpful was a result of a meeting during the German presidency of the UN Security Council in Berlin on 5 February 2003, convened by the WCC and CCIA, and involving heads of European churches, as well as the regional ecumenical organizations in Europe, the Middle East, and the US. Together, they sought a common language and response to the Iraq crisis.

The statement asked the general secretary of every regional ecumenical organization to join the WCC general secretary in calling their respective members to join a global advocacy effort. Within a few days, 181 signatures from heads of churches were handed over by the CCIA's UN office to the members of the UN Security Council and the UN Secretary-General. The statement was translated into Arabic, and efforts were made to increase

awareness in that part of the world, from Lebanon to the Persian Gulf. In its editorial, the Lebanese newspaper *An'nahar* recognized the voice of the churches and challenged Arab leaders to do more of the same. Churches in the Middle East have especially welcomed the international Christian voice and unity, and grassroots communities stated that the WCC statements made them proud to be Christians.

This very important message supports the significant role and centuries-old presence of Christians in the Middle East and their key role as bridge builders between the so-called Western Christian world and the Muslim one.

Despite a unified ecumenical movement and considerable advocacy, the churches were unable to stop the war. However, they were able to reach two very important achievements: (1) bringing the message to the Muslim world that this was not a Christian war against Islam, but an action taken by some governments; and (2) contributing clearly to the discussion concerning the illegality of the action by those governments.

A particular challenge was, of course, the Christian churches in the US that supported the invasion and even gave theological arguments for it. Never had the distinction between the mainline ecumenical and Catholic churches and the evangelical congregational churches become clearer to me. While one group was the strongest opponent, the other provided public backing for the war.

It reminded me of a time when I, as a young student, visited Dachau, the former Nazi concentration camp outside Munich in Bavaria. In the museum I found records of all the clergy who had been imprisoned in Dachau, from the opening in 1936 until the liberation in 1945.

It showed that close to 90 percent of the priests who ended up in Dachau were Roman Catholics. The majority of Christians in Bavaria are Catholics, but the ratio should have been less obvious. 1:2 rather than 1:8.

Looking closer, I recognized some well-known Lutheran names. People like Martin Niemöller and other actors in the early ecumenical movement.

My observation guided me to the conclusion that international relations, reflections, and reproductions were instrumental for a person becoming enough of a threat to the Nazi-German regime to be put in a concentration camp. And the other way around, domestication could guide clergy to acceptance, silence, and collaboration, including with politics which are in contradiction with its theological teaching.

The message in response to the war on Iraq represented a new approach from the CCIA. For the first time, CCIA spoke with the member churches, not only to them or on their behalf. This was possible thanks to new technology at the time—email.

It was also an escalation of more direct involvement of member churches and Christian agencies in international affairs and with international institutions. The CCIA could not claim a monopoly on UN relations anymore. The WCC was not prepared for the fact that technological change would make competitors of our own constituency, and I believe we went through some tough years.

I still believe that more direct involvement of the member churches and agencies is a huge asset. But it takes a somewhat different approach from the CCIA, compared to the first 50 to 60 years. The WCC and the CCIA must be more a coordinator.

Let me finally offer two observations on how to handle the challenges of this role:

1. We must be faithful to the ecumenical reflection. Ecumenical cooperation is the best vaccine against the virus of domesticated religion, a virus which mutated along with the polarization following the growth of nationalist right-wing movements.
2. We must be faithful to our policies. Every generation of the ecumenical movement has worked very hard to fulfil the Christian obligation to human rights. We owe it to them to understand why and how and to try to restore and rebuild rather than reinvent approaches.

## International Affairs in the Focus of Ecumenical Work: Human Rights and the WCC from 1948 till Today

Matti Peiponen

### **Ecumenical Action in Formulating the Universal Declaration of Human Rights**

*Human rights rise on the ecumenical agenda after the Second World War*

Human rights were actively discussed in the corridors of the United Nations when the Second World War was over. Built on the ruins of the League of Nations, the United Nations was established to safeguard peace and bring about a new world order when the guns fell silent. In this arena, the violation of human rights and disregard for human dignity were given as an explanation for why the disastrous war broke out in 1939. It had very clearly turned out that fascism and its ideological twins did not believe in equality of humans but stood for and propagated inequality between ethnicities, human beings, and nations. Delegates to the UN kept repeating that the Holocaust was an unforeseen violation against human rights. As a summary, the architects of the new world order were convinced that the observance of human rights was one of the foundation stones and an imperative requirement for world peace in the aftermath of the Second World War.<sup>1</sup>

It was against this background that human rights became a high priority for the modern ecumenical movement during the Second World War and afterward. In particular, the World Council of Churches (WCC), functioning “in process of formation” at that stage, was determined to provide access to and express a Christian view on this topic in the international arena.

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1. Konrad Hilpert, *Menschenrechte. Lexikon für Theologie und Kirche*. 7. Band. Maximilian bis Pazzi. Hg. von Walter Kasper mit al. (Freiburg: Herder, 1998), 120–27, at 122–23; Matti Peiponen, “Ecumenical Action in World Politics: The Creation of the Commission of the Churches on International Affairs (CCIA), 1945–1949.” *Schriften der Luther-Agricola-Gesellschaft* 66. Diss. Helsinki (Helsinki: Luther-Agricola-Society, 2012), 211–12.

In addition to the WCC's ambitions to be influential inside the United Nations, there were other reasons why human rights became the special focus of ecumenical action prior to the inauguration of the WCC in 1948.

First, international affairs had been in the focus of ecumenical work before the war years. The World Alliance for Promoting International Friendship through the Churches and the Life and Work, two action-oriented streams of the modern ecumenical movement, had actively worked on bringing Christian views to the international arena. In the 1920s and 1930s, a variety of Christians and church representatives affiliated with these two bodies actively advocated for human rights, freedom of religion, and minority rights and raised other socio-ethical issues as essential parts of their ecumenical engagement.<sup>2</sup>

Second, ecumenically oriented American Protestant mainline churches had done extensive work on human rights long before the end of the Second World War. Having in their minds the US Declaration of Independence of 1776, the ecumenists had spent a lot of time pondering what religious liberty was and how states should safeguard it within their own country. Leaning strongly on this cornerstone of the American heritage, they emphasized that human rights and religious liberty were strongly intertwined, and that this linkage should be recognized globally. This urged them to make efforts to involve the future WCC in these talks.<sup>3</sup>

Third, freedom of religion was a requisite for Christian mission work. Missionary activities of churches required that there be a common understanding about human rights which safeguarded the right to practise religion, teach it, and change it. Therefore, the ecumenists made it clear that the broader set of religious rights had to be incorporated into the human rights documents.<sup>4</sup>

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2. For more on the World Alliance, see Harmjan Dam, "Der Weltbund für Freundschaftsarbeit der Kirchen 1914–1948. Eine ökumenische Friedensorganisation." Diss. Kampen (Frankfurt am Main: Verlag Otto Lembeck, 2001); David Thomson, "Ecumenism," in *The Cambridge History of Christianity: World Christianities c.1914–c.2000*. Vol. 9, ed. Hugh McLeod (Cambridge, UK: Cambridge University Press, 2006) 50–70, at 53–54; Peiponen, "Ecumenical Action," 40, 95, 356.

3. William Korey, *NGOs and the Universal Declaration of Human Rights: "A Curious Grapevine"* (New York: St. Martin's Press, 1998), 35, 182–83; John Nurser, "The 'Ecumenical Movement' Churches, 'Global Order,' and Human Rights: 1938–1948," *Human Rights Quarterly* 25 (2003), 841–81, at 867–68; Peiponen, *Ecumenical Action*, 74–80.

4. Peiponen, "Ecumenical Action," 313, 325–26.

*The CCIA is established as the instrument of the churches in the world arena*

In its formative years, the architects of the World Council of Churches agreed that one of this body's main tasks was to closely monitor what was discussed and decided upon in international politics. To fulfil this aim, an instrument was needed. Thus, the Commission of the Churches on International Affairs (CCIA) was created at the Church Leaders' Conference held in Cambridge in 1946. The CCIA was founded as a joint body of the WCC in the formative years; the International Missionary Council (IMC) brought both an ecumenical and missionary bearing to the CCIA's agenda.<sup>5</sup>

Furthermore, the delegates to the conference agreed that this new instrument should bring the churches' voice in the international arena. The aim of the CCIA was to "suggest effective Christian action to international problems and speak on Christian principles indicating their bearing on immediate issues." In the Charter of the CCIA, human rights were written in as one of the CCIA's tasks. The CCIA would assist in "the encouragement of respect for and observance of human rights and fundamental freedoms; special attention being given to the problem of religious liberty."<sup>6</sup>

From the very beginning, it became evident that the emphasis of the CCIA's work was to be on action. Furthermore, it was in the corridors of the United Nations that the action was to take place. Meanwhile, the CCIA was getting organized as a body of commissioners and staff: human rights were keenly discussed and debated in the UN. There, the Commission on Human Rights (CHR), consisting of representatives of UN member states, was assigned a task to put down in writing human rights. In early 1947, the work of the CHR became the principal interest of the CCIA.<sup>7</sup>

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5. Nurser, "Ecumenical Movement' Churches," 126–42.

6. The Charter of the Commission of the Churches on International Affairs: The Commission of the Churches on International Affairs 1946–1947, Appendix 8–10.

7. Frederick O. Nolde, *The Universal Declaration of Human Rights*. Headline Series No. 76 (July–August 1949) (New York: Foreign Policy Association, 1949), 31–34; Frederick Nolde, "Ecumenical Action in International Affairs: The Ecumenical Advance," in *A History of the Ecumenical Movement*, Vol. 2, 1948–1968, ed. Harold E. Fey. 2nd ed. (Geneva: WCC, 1986), 261–85, at 264; John Nurser, *For All Peoples and All Nations: Christian Churches and Human Rights* (Geneva: WCC Publications, 2005), 143–46.

*Professor O. Frederick Nolde enters the international arena on behalf of the CCIA*

Ecumenical action within the UN needed competent persons with capable hands. Professor O. Frederick Nolde<sup>8</sup> was the person charged with the task to act in this arena. In addition to his main job as professor of religious education, he acted as the director of the CCIA from his hometown of Philadelphia.<sup>9</sup>

At the beginning of 1947, Nolde travelled to New York, where the Commission on Human Rights held its first full session. As the CCIA was in process of gaining consultative status<sup>10</sup> within the United Nations, Nolde got a foot in the door of the UN; thus, the voice of the ecumenical movement did not go unheard in the long talks undertaken by the CHR. Together with other advisors representing a few NGOs, Nolde enjoyed the right to speak when called upon by the chairperson of the CHR. He could not propose documents, but he could persuade a representative sitting on the CHR to sponsor them and present them in the name of his or her government. Nolde used this possibility actively throughout the whole process, leading finally to the adoption of the Universal Declaration of Human Rights.<sup>11</sup>

Nolde was uniquely positioned as a representative of an international religious organization when attending the CHR sessions. As an American, he could maintain regular contact with the chairperson of the CHR, his compatriot Mrs. Eleanor Roosevelt: American diplomat, humanitarian, and first lady of the United States from 1933 to 1945. In May 1946, Nolde contacted Roosevelt to indicate the four points that churches wished to press regarding human rights: implementation, the rights of minorities, freedom of speech, and an international bill of rights.<sup>12</sup>

*Nolde lobbies for human rights and religious liberty*

When the CHR started drafting the human rights documents, severe tensions appeared, especially between the representatives of the US and the Soviet Union, who had different views on human rights. The US and its allies emphasized civil or political rights, also referred to as the first generation

8. Nolde was director of the CCIA based in the USA from 1946 to 1969.

9. Nolde, "Ecumenical Action," 268, 271.

10. UN ECOSOCOR 5th Session.

11. Johannes Morsink, *The Universal Declaration of Human Rights. Origins, Drafting, and Intent* (Philadelphia: University of Pennsylvania Press, 1999), 4; Peiponen, "Ecumenical Action," 222–23.

12. Nurser, *For All Peoples*, 131; Peiponen, "Ecumenical Action," 223.

of human rights. These included equal protection before the law and the courts, individual liberty, freedom of assembly and association, and freedom of speech and expression. Freedom of conscience and religious liberty were part of these rights. The Soviet Union and its allies would have preferred to start from economic, social, and cultural rights, also referred to as the second generation of human rights, such as the right to study, work, and health care, which were based on the principles of social justice and public obligation.<sup>13</sup>

At the second session of the CHR, held in Geneva in December 1947, the CCIA had gained consultative status as one of the NGOs in the UN system. Nolde was again present at the session where the CHR approved the text of a draft International Declaration on Human Rights and a draft International Covenant on Human Rights.<sup>14</sup> The approval was a significant victory for Nolde, who could conclude that all the recommendations advanced by the CCIA and conveyed by him were reflected in the new text. First, the CHR had managed to draw up both a declaration and covenant,<sup>15</sup> which had been strongly recommended by the churches that Nolde had consulted. Second, the broader set of religious rights and freedoms was retained in the draft of the declaration.<sup>16</sup> The broader set of religious rights and freedoms encompassed “freedom to change one’s religion or belief, and freedom, either alone or in community with others, and in public or private, to manifest one’s religion or belief in worship, teaching, practice, and observance.”

The Geneva session of the CHR was an important learning experience for Nolde, as he later described in his report on the session. He had noticed that bringing in the reactions of the constituency of the CCIA had had considerable weight in the discussions of the CHR and strengthened his position as an advisor. It had become clear that the CCIA staff could make representations to the UN secretariat on human rights issues. Nevertheless, Nolde felt that he could not achieve the desired results alone. Churches at a national level had to make their position clearly known to governments and

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13. Nolde, *Universal Declaration*, 18–20; Peiponen, “Ecumenical Action,” 229.

14. United Nations Digital Library Report of the Commission on Human Rights 2nd Session Doc E/600 (17 Dec. 1947), <https://digitallibrary.un.org/record/599974?>; Peiponen, “Ecumenical Action,” 246.

15. Nolde had to face the fact that the Convention on Human Rights would not be adopted by the Paris UN Assembly as planned. UN Covenants on Political and Civil Rights and on Economic, Social and Cultural Rights were not adopted until 1966.

16. Frederick Nolde, *Free and Equal: Human Rights in Ecumenical Perspective* (Frankfurt am Main: World Council of Churches, 1968), 38; Nurser, *For All Peoples*, 155; Peiponen, “Ecumenical Action,” 251.



state officials, who mandated their delegates to act upon their advice.<sup>17</sup>

*Nolde threw himself actively into the discussions at the UN Paris Assembly*

The adoption of the human rights documents was scheduled to take place at the Third Regular Session of the UN General Assembly in 1948. Altogether, 58 member states gathered in Paris amid an atmosphere of tension, for the Berlin blockade was increasingly straining relations between the Soviet Union and the United States. Nolde served as the accredited representative of the CCIA at the Paris Assembly.

In Paris, Nolde's main aim was to ensure the retention of the provisions for religious freedom as contained in the draft declaration, which was dealt with by the Third Committee of the Assembly. It was obvious to Nolde that the decisions on the human rights documents in Paris, culminating in the fate of Article 16 dealing with freedom of religion, would test the effectiveness and utility of the CCIA.<sup>18</sup>

During his stay in Paris, Nolde could base his arguments on the WCC and IMC's new Joint Declaration on Religious Liberty. This was adopted by the 1st Assembly of the WCC that was held in Amsterdam prior to the UN General Assembly in Paris. After its adoption, the main branches of the modern ecumenical movement were thus clearly behind Article 16. In addition, he could also refer to the WCC's other deliberations on international affairs, as the final report of Section IV of the assembly in Amsterdam had given guidance to the CCIA on its mandate for contributing to the discussions in the UN arena.<sup>19</sup>

Active lobbying was the method to which Nolde resorted. As the UN assembly in Paris opened on 21 September 1948, Nolde and Kenneth Grubb,<sup>20</sup> the executive chairman of the CCIA who was based in London, transmitted

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17. WCCA CCIA UN Memoranda 428.18.2 Nolde, C:2 Second Session Commission on Human Rights, 30 December 1947; Peiponen, "Ecumenical Action," 251.

18. WCCA CCIA UN Memoranda 428.18.2 Nolde, C:4 Preliminary Report on Human Rights, 13 November 1948; Nolde, *Free and Equal*, 43; Peiponen, "Ecumenical Action," 318.

19. Official Assembly Report, The First Assembly of the World Council of Churches held at Amsterdam August 22nd to September 4th, 1948: Man's Disorder and God's Design. The Amsterdam Assembly Series, Vol. V, ed. W. A. Visser 't Hooft (London: SCM Press, 1949); Nurser, For All Peoples, 163–64; Peiponen, "Ecumenical Action," 318.

20. Sir Kenneth Grubb was chairman of the CCIA based in Britain from 1946 to 1968.

a copy of the WCC and IMC's Joint Declaration to Trygve Lie, the first Secretary-General of the UN. In the covering letter from the WCC and the IMC, it was stated that human rights were a matter of such deep concern to churches that a Declaration of Human Rights was the bare minimum required. Nolde had also addressed a personal letter to most of the assembly delegates. In his letter, Nolde repeated the importance of the WCC's and the IMC's role in the work of the Paris assembly on human rights. Enclosed in the letter were copies of Section IV's resolution and the Joint Declaration on Religious Liberty.<sup>21</sup>

In Paris, Eleanor Roosevelt regularly consulted Nolde and took his advice into account. Nolde was an invaluable resource in explaining matters of religious liberty to her. An illuminating example of Nolde using his influence with the chairperson was that, while speaking at a session of the Third Committee, Eleanor Roosevelt made a statement on behalf of the US government strongly supporting the retention of the text of Article 16 as adopted by the CHR. Roosevelt used Nolde's reasoning word for word to reject the amendments which had been put forward by the Soviet Union and some other countries.<sup>22</sup>

Nolde also commented on other articles of the draft declaration. As to Article 1, expressing the basic concepts of dignity, liberty, and equality, he commented on the proposed amendment to insert the name of God or Creator into the declaration. Nolde was clearly opposed to the mentioning of God, as for him the UN represented the world of nations, wherein widely differing convictions were held. Nolde was convinced that the insertion of God into the declaration would conceivably be hypocritical or meaningless because of differing convictions. He also stressed that it was the distinctive task of churches to bring people to faith and to a profession of that faith; it was not the task of the UN. What the UN could do in the field of faith was

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21. WCCA CCIA Human Rights 428.3.24 Grubb & Nolde, Resolutions on Human Rights, WCCA CCIA UN Memoranda 428.18.2 Nolde, C:4 Preliminary Report on Human Rights, 13 November 1948; Nurser, *For All Peoples*, 163–64; Peiponen, "Ecumenical Action," 318–19.

22. WCCA CCIA Human Rights 428.3.24 Nolde to Roosevelt, 6 November 1948; WCCA CCIA Human Rights 428.3.24 [Eleanor Roosevelt], Draft Statement on Article 16, Peiponen, "Ecumenical Action," 322–23.

to make it possible for religion or belief to be practised.<sup>23</sup> Nolde's fingerprints are thus visible in Article 1, which now reads: "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood."

*Disagreements about human rights kept Nolde in suspense*

Toward the end of November 1948, the wording of Article 16 had again become a matter of controversy in the Third Committee. A heated debate took place on the "freedom to change one's religion or belief." The fight to remove this clause was led by delegates from countries dominated by a single religion, such as states with a large Muslim population. Furthermore, representatives of other countries were sympathetic to deleting "freedom to change" because they felt there was an implicit right to change one's religion or belief if the text embodied and ensured freedom of thought, conscience, and religion. Nolde could not accept this argument; in informal meetings in the corridors and at luncheons and dinners, he made every effort to convince the delegates that it was an absolute necessity to maintain the provision on "freedom to change" in the text.<sup>24</sup> By the beginning of December, it appeared to Nolde that despite the attempts to change Article 16, the original wording would be preserved.

Before introducing the final proposal to the plenary session of the Paris assembly, the Third Committee agreed on the title: Universal Declaration of Human Rights. The reason for using "universal" was to shift attention away from the authors of the declaration, which were states and their representatives, toward the target of the document: human beings around the world.<sup>25</sup> Therefore, the official name of the declaration is neither United Nations' nor International Declaration, but Universal Declaration of Human Rights.

The change of name was positively received by Nolde, as it was in full agreement with the intentions and aims which he and the CCIA originally had for the declaration.<sup>26</sup> The universality of the declaration also encompassed

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23. WCCA CCIA UN Memoranda 428.18.2 Nolde, C:4 Preliminary Report on Human Rights, 13 November 1948; Peiponen, "Ecumenical Action," 323–24; For discussions on Article 1 see, e.g., Mary Ann Glendon, *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights* (New York: Random House, 2001), 143–49.

24. WCCA CCIA UN Memoranda 428.18.2 Nolde, 324–25.

25. Morsink, *Universal Declaration*, 33; Glendon, *World Made New*, 146, 161; Peiponen, "Ecumenical Action," 326.

26. Nolde, *Free and Equal*, 38.

another core issue that Nolde had emphasized throughout the drafting process. As a later colleague of Nolde's, Richard M. Fagley, said at a memorial service for Nolde in 1972, Nolde's determined aim had been to make the declaration applicable to all nations and peoples, not only to predominantly Christian societies or countries in the Western bloc. He had insisted that Christian pronouncements on world order should not speak exclusively to active Christians, but to all "men of goodwill."<sup>27</sup>

Having worked on the document for more than two months, the Third Committee reached an agreement on the wording of the declaration on 7 December 1948. It adopted the draft declaration with 29 votes in favour, none against, and 7 abstentions. The draft was thus submitted for adoption and proclamation by the plenary session of the Paris assembly.<sup>28</sup> Every article of the draft declaration had been debated in the Third Committee's over 85 working sessions, and nearly 170 amendments had been proposed by the delegates. Given the voluminous and thorough preparatory work, it was expected by all parties involved that the draft declaration as it then stood would be passed by a substantial majority at the plenary session.<sup>29</sup>

However, despite the declaration's approval by the Third Committee, Nolde felt himself by no means certain that the declaration would pass at the plenary. Nolde's worst fears were realized when the proposed declaration was presented for discussion at the assembly plenary session on 9 December. The Soviet Union and its allies were exceedingly critical of the entire declaration, which, according to them, represented a formulation of Western politics and ideals. The Soviet Union and its allies went on to propose a number of amendments to the declaration because they felt that the phrasing of the declaration reflected the values of the capitalist system.<sup>30</sup>

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27. WCCA CCIA Nolde Papers 428.10.2.5 Fagley, O. Frederick Nolde, 21 June 1972.

28. Charles H. Malik, "The Universal Declaration of Human Rights," in *Free and Equal: Human Rights in Ecumenical Perspective*, ed. Frederick Nolde (Frankfurt am Main: WCC, 1968), 7–13, at 7–8; Nolde, *Free and Equal*, 4, 42; Morsink, *Universal Declaration*, 11; Peiponen, "Ecumenical Action," 327.

29. WCCA CCIA UN Memoranda 428.18.2 Nolde, C:4 Preliminary Report on Human Rights, 13 November 1948; Nolde (1968); 45–46; John F. Sears, "Eleanor Roosevelt and the Universal Declaration of Human Rights," 4–11, at 10–11, <https://www.fdrlibrary.org/search?q=sears>; Peiponen, "Ecumenical Action," 327.

30. Sears, "Eleanor Roosevelt," 11; Peiponen, "Ecumenical Action," 329.

The Eastern bloc emphasized throughout the almost 13-hour discussion that human rights could not be conceived outside the state and that the very concept of justice and law was inextricably linked to the state.<sup>31</sup> During the discussion, the representatives of the Eastern bloc directly criticized the US and its Western allies. They referred to the poor human rights situation in the US, where Afro-Americans did not enjoy civil rights. As their amendments were not seconded or were rejected by the other delegates at the plenary discussion, the Soviet conclusion was that “the Anglo-American bloc” had prevented the efforts of the Soviet Union and its allies to “introduce progressive ideas into the declaration.”<sup>32</sup>

When Article 16 was discussed at the plenary session, Nolde still had one concern, as he was anxious about the right to change one’s religion or belief. To his relief, the debate was brought to a sudden close by the speech of Sir Mohammed Zafrullah Khan, the foreign minister of Pakistan, who defended the right to change one’s religion or belief based on the Koran. Article 16, which encompassed freedom of thought, conscience, and religion, was thus adopted with its essential provisions intact.<sup>33</sup> The article did not generate such heated controversy at the plenary because those who opposed it disagreed even more vehemently with the principles on which the entire declaration had been based.

*The CCIA proved to be an efficient instrument in contributing to human rights*

At 3:00 a.m. on 10 December 1948, the General Assembly of the UN came to a final decision on the Universal Declaration of Human Rights, formally adopting the entire text with 48 votes in favour, none against, and 8 abstentions. The abstentions came from the Eastern bloc, Saudi Arabia, and South Africa.<sup>34</sup>

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31. UN GAOR 3rd Session, 852–935; Morsink, *Universal Declaration*, 21–28; Glendon, *World Made New*, 168; Sears, “Eleanor Roosevelt,” 11; Peiponen, “Ecumenical Action,” 329.

32. UN GAOR 3rd Session, 852–935; Sears, “Eleanor Roosevelt,” 11; Peiponen, “Ecumenical Action,” 329.

33. UN GAOR 3rd Session, 852–935; Nolde, *Free and Equal*, 45–46; Peiponen, “Ecumenical Action,” 330.

34. UN GAOR 3rd Session, 852–935; Korey, *NGOs and the Universal Declaration*, 43–44; Glendon, *World Made New*, 170.

Nolde and the CCIA had good reason to be delighted with the results of the Paris assembly as far as the human rights documents were concerned. The article of religious freedom, as finally adopted in the face of strong initial opposition, incorporated the essential point which the CCIA had been stressing.

Article 16, which was renumbered Article 18 after its adoption, and Article 19 were the most crucial from the perspective of Nolde and the CCIA. They read in their final form as follows:

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

Article 19:

Everyone has a right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Nolde had been instrumental in drafting the declaration, especially with respect to the provision on religious freedom and the rights related thereto. In particular, Article 18 could “largely be attributed to Nolde,” as William Korey states and John Nurser confirms in their studies of the history of the UDHR.<sup>35</sup>

However, in the final analysis, it was due to the existence of the CCIA that Nolde and the whole modern ecumenical movement could contribute to the content of the human rights documents and be an influential voice in drawing up the UDHR.<sup>36</sup> Seen in this light, Nolde’s significant contribution to the drafting process of the Declaration was made possible only because the CCIA existed and had been granted official status within the UN. Without such a body and the status granted to it, the Christian contribution would have presumably come from other players or NGOs.

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35. Korey, *NGOs and the Universal Declaration*, 46; Nurser, *For All Peoples*, 173–75.

36. Frederick Nolde, *The Churches and the Nations* (Philadelphia: Fortress, 1970), 12; Nurser, *For All Peoples*, 846.

Nevertheless, the positive outcome for the declaration was not exclusively the result of the CCIA and Nolde's active participation in the drafting process. Clearly, it was also thanks to the determined effort made by the WCC's assembly in Amsterdam. A comparison of both documents reveals that, with respect to religious liberty, the link between the Joint Declaration of the WCC and the IMC, which was a statement formally approved by the 1st Assembly in Amsterdam, and the UDHR is clear and undisputable. It is therefore correct to argue that the CCIA proved an efficient instrument for giving an ecumenical response to world politics at that early stage of its existence. Furthermore, the creation of the CCIA increased the WCC's awareness of world politics and made it vigilant in expressing Christian views in the international arena.<sup>37</sup>

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37. Peiponen, "Ecumenical Action," 337–39, 357.

## Human Rights in the Ecumenical Agenda since the WCC's Formation: Historical Perspectives

Mathews George Chunakara

Human rights have been on the agenda of the ecumenical movement since the formation of the World Council of Churches (WCC) was initiated. The question of human rights has appeared consistently on the agenda of every assembly and central committee meeting of the WCC since its first assembly in 1948. The churches that joined the WCC in the process of its formation were instrumental in ensuring the inclusion of provisions for human rights in the Charter of the United Nations. Although the incipient WCC entered the ecumenical scene on the eve of the Second World War, the WCC was not officially founded when the Commission of the Churches on International Affairs (CCIA) was launched soon after the end of the Second World War at the Cambridge Conference in 1946, less than one year after the founding of the United Nations. When the organizational structure of the CCIA was completed by two parent bodies—the WCC-in-process of its formation and the International Missionary Council (IMC)—the impetus was to carry out the tasks through a global ecumenical platform for common actions related to human rights, religious freedom, and peace. Among the nine objectives identified for its work, as mandated by the CCIA's founding conference, was the maintenance of contacts with international agencies, particularly with the United Nations, for the “encouragement of, respect for, and observance of human rights and fundamental freedoms, special attention being given to the problem of religious liberty.”

Dr Otto Frederick Nolde, the first director of the CCIA, participated in the UN Commission on Human Rights (UNCHR) from 1946 to 1948, specifically in the drafting of the Universal Declaration of Human Rights (UDHR), alongside government representatives from UN member states. Nolde was serving as a consultant on religious liberty and freedom of conscience, and he was present at the UN Paris General Assembly when the UDHR was adopted on 10 December 1948. Although Nolde had to be involved in the preparations for the WCC's 1st Assembly, he had attended the session of the UNCHR as an advisor and was actively involved in



safeguarding the rights of religious freedom in the UDHR, which was under preparation. When the Third Session of the UNCHR met at Lake Success in New York in May–June 1948, Nolde presented the responses received from the churches on the UDHR based on those collected and collated through the CCIA's efforts.

With respect to religious freedom, Linde Lindkvist, in his study “Religious Freedom and the Universal Declaration of Human Rights,”<sup>1</sup> has described how Frederick Nolde, as a non-governmental consultant at the drafting of the declaration, worked with fellow ecumenist and drafter Charles Malik, the Lebanese ambassador to the UN and to the US, to shape the secular language of the declaration, especially its Article 18. The outcome was a text that distinguished between inward freedom of conscience on the one hand and outward manifestations of religion on the other. It also includes freedom to change one's religion or belief as well as manifesting one's religion “in community with others,” together with an emphasis on individual rights. The UDHR Article 18 thus became the cornerstone of religious liberty advocacy by ecumenists, church leaders, and others. The fundamental elements of religious liberty as understood by the WCC were clearly stated in the declaration adopted by the 1st Assembly of the WCC in Amsterdam in 1948.

When that assembly was held in Amsterdam, the world had just come out of the traumatic experiences of the Second World War. In such a context, it was natural that human rights would be highlighted as one of the most important issues the global church leaders had to address at the assembly. When the preparation for the assembly was progressing, churches shared a common concern to recognize human rights as a matter of great concern. Through the experiences of the member churches gathered at the 1st Assembly, the WCC was connected to the post-war rise of human rights, but its engagement in human rights was shaped by distinctly Christian faith and concerns.

As the CCIA was established as a commission of the WCC at the 1st Assembly in 1948, it became the main vehicle for equipping, and engaging with, churches and the ecumenical movement to carry out the mission in the area of human rights. The emphasis on the concept of human rights has undergone an evolution in the succeeding decades. The concept of the rights of the individual has been considered a prerequisite for safeguarding the rights of the whole society since the late 1940s. The predominant view at that time

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1. Linde Lindkvist, *Religious Freedom and the Universal Declaration of Human Rights* (Cambridge, UK: Cambridge University Press, 2017).

was that collective rights were the accumulation of individual rights. This position was reflected in the Declaration on Religious Liberty, adopted at the inaugural assembly of the WCC. The prevailing political system and social conditions experienced by churches at the time were governed by a number of factors based on a variety of human rights violations around the world. Churches experienced deplorable human rights situations, reported from different contexts, which taught the ecumenical movement that corporate rights, people's rights, and national rights have their legitimate place in a comprehensive understanding of human rights. The strong belief of the WCC and its member churches was that it is not appropriate to arrange rights in hierarchical importance.

In the years following the adoption of the Universal Declaration of Human Rights, the CCIA/WCC was constantly present to advise and to lobby the International Covenants on Human Rights, as well as other human rights instruments introduced and promulgated through the UN. There were several reasons why the WCC, in its early years, was eager to act as a champion of human rights. Ans J. van der Bent, who was the director of the WCC library, summarizes his observation:

Behind it was the long missionary tradition struggling to secure freedom to propagate the gospel. Thus, the freedom to hold and change one's faith, to express it in worship and practice, to teach and to persuade others, and to decide on the religious education of one's children was of vital ecumenical importance. Religious liberty in fact was the cornerstone of the entire edifice of human rights. The establishment and the protection of other essential rights, it was held, was depending on the full realization of religious liberty. As the United Nations was in the process of adopting international standards for human rights, it was natural for the CCIA to assume special responsibility in the field of religious freedom.<sup>2</sup>

The WCC assembly in Amsterdam articulated the concern on human rights and urged churches to recognize human rights and fundamental freedoms, as was emphasized in the report of Section IV of the assembly:

At the present time, churches should support every endeavour to secure within an International Bill of Rights adequate safeguards for freedom of religion and conscience, including rights of all men to hold and change their faith, to express it in worship and practice, to

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2. Ans J. van der Bent, *Christian Response in World of Crisis* (Geneva: WCC, 1986), 28.

reach and persuade others, and to decide on the religious education of their children. They should press for freedom of speech and expression, of association and assembly, the rights of the family, of freedom from arbitrary arrest, as well as all those other rights, which the true freedom of man requires.<sup>3</sup>

When this report was received positively by the assembly, a resolution was adopted at a plenary session that specifically referred to the UN human rights initiatives. The member churches of the WCC were urged to press for the adoption of an International Bill of Human Rights, making provisions for their recognition, ensuring the national and international mechanisms for enforcement of all the essential freedoms of man, whether personal, political, or social. The statement also called for the churches to “support a fuller realization of human freedom through social legislation,” “protest against the expulsion of minorities,” and “oppose enforced segregation on grounds of race and colour.” Finally, the assembly appealed for support of “other Conventions on human rights, such as those on Genocide and Freedom of Information and the Press.” The assembly also adopted a Declaration on Religious Liberty. This declaration called for attention to religious freedom as an international concern: “An essential element in a good international order is freedom of religion. This is an implication of the Christian faith and of the world-wide nature of Christianity.” It also made clear that the WCC grounded religious and other human rights in a conception of personal, natural rights, meant as a bulwark against state encroachment: “The nature and destiny of man by virtue of his creation, redemption and calling, and man’s activities in family, state and culture establish limits beyond which the government cannot with impunity go.” Consequently, the declaration enumerated four sets of rights:<sup>4</sup>

1. Every person has the right to determine his own faith and creed...
2. Every person has the right to express his religious beliefs in worship, teaching and practice, and to proclaim the implications of his beliefs for relationships in a social or political community...
3. Every person has a right to associate with others and to organize with them for religious purposes...

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3. Amsterdam Assembly 1948, Official Report, 93–94.

4. “Declaration on Religious Liberty, Adopted at the First Assembly of the World Council of Churches 1948,” in *Free and Equal: Human Rights in Ecumenical Perspective*, ed. Frederick Nolde (Geneva: WCC, 1968), 79–81.

4. Every religious organization, formed or maintained by action in accordance with the rights of individual persons, has the right to determine its policies and practices for the accomplishment of its chosen purposes.

In the early years of the CCIA, the principal effort, as far as human rights were concerned, was put into work within the framework of the UN system. The most significant specific activity developed by the CCIA during the 1950s and 1960s was focused on developing responses to the UN's Study of Discrimination in the Matter of Religious Rights and Practices, carried out under UN Special Rapporteur Arcot Krishnaswami.

The CCIA commissioned a study focused on Religious Freedom in the Face of Dominant Forces. The study proposed certain affirmative and remedial measures, including a programme of action that merited wider attention. While discussing the proposals of this study, the CCIA executive committee, in its 1951 meeting, stated: "Every denial of fundamental rights should be made known and resisted." The WCC established a Secretariat on Religious Liberty in 1958 within its Division of Studies and proposed a Statement on the Nature and Basis of Religious Liberty to be adopted at the WCC central committee meeting in 1960. The statement promoted the idea of various consultations among specialists and ecumenical leaders in several parts of the world and published a considerable number of studies. When the Second Vatican Council was meeting, the WCC Secretariat on Religious Liberty pointed out that the main features of a Roman Catholic position should meet the expectations of other Christians too. It also touched on the need for promoting a correct interpretation and implementation of the Declaration on Religious Freedom brought out by Vatican II.

The most significant thrust of the WCC's human rights advocacy established through the CCIA was, from the very beginning, to serve as a conduit between the WCC and the UN. When many countries in the world started experiencing crucial human rights violations due to an influx of refugees and increased levels of racism and xenophobia and militarization, the WCC also started focusing its attention on those specific areas in the late 1960s and 1970s. The experiences of churches in countries and societies governed by a variety of social and political systems impelled the ecumenical movement to respond creatively, taking a stand against the growing and systematic human rights violations. The churches across the world also discerned that human rights ought to be realized not only for Christians but for every individual in society. The WCC's human rights programme

always emphasized that it is not appropriate to arrange rights in a hierarchical level of importance: there should be an obligation and right to serve the poor, the oppressed, and those who languish in prison and to stand by them in their quest for righteousness. John Nurser, the founding director of the ecumenical group Christianity and the Future of Europe, was of the opinion that the representatives of the ecumenical-movement churches who played a role in ensuring a mandatory place for a Human Rights Commission—and by extension its UDHR—in the UN Charter were influenced by a self-conscious tradition of “Christendom.”<sup>5</sup>

Although the then CCIA director Fredrick Nolde tried to protect an expansive interpretation of Article 18 in the UDHR, the other two areas of activities developed for the WCC’s human rights engagements were attempts at formulating an “international ethos” as well as developing a theological basis for religious freedom. In fact, a new generation of WCC officers made increased efforts to mainstream human rights inside the WCC from the mid-1960s onward. This process was initiated through a 1967 conference held in The Hague, Netherlands, which reconstituted the CCIA by bringing it more closely into the fold of the WCC rather than confining the advocacy to the UN or intergovernmental systems.

The CCIA’s agenda-setting power on international affairs, in comparison to earlier assemblies, was sharply reduced at the 4th Assembly in Uppsala in 1968. But the CCIA’s new leadership initiated a process of redefining human rights; it expanded its activities beyond the UN and made the WCC as a whole an actor in the realm of human rights. In this connection, Prof. Karsten Lehmann, who works on religions in international relations, says that during that period, the CCIA developed “from diplomats of the churches to proponents of human rights.”

A substantial share of the WCC’s human rights engagement in the 1960s and early 1970s also has been in relation to socialist Eastern Europe, especially in the context of religious freedom. With the entry of several major Orthodox churches from the socialist countries in Eastern Europe into WCC membership at the 3rd Assembly in New Delhi in 1961, notably the Russian Orthodox Church, the WCC significantly expanded its confessional and geographical representation, but this led to internal tensions or disagreements over how to handle relations with churches that were subject to state control and experiencing human rights violations in communist political settings.

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5. John Nurser, *For All Peoples and All Nations* (Geneva: WCC, 2006), 11.

While the initial years were focused heavily on religious freedom, the focus in the 1960s and 1970s became extensive, categorically on various other emerging human rights issues, including social, economic, and collective rights. The WCC's advocacy on human rights from the earlier years took the form of a radically different position. In other words, the focus shifted from religious liberty and insistence on a natural law understanding of rights, which stressed universality, to contextual issues and problems related to human rights. In the earlier years, the WCC addressed human rights primarily from a secular perspective and as a basis for protection of rights, but later, especially from the 1970s on, it sought to integrate the concept of human rights more fully into its theological thinking.

The human rights advocacy strategies developed in the initial years of the WCC concentrated on a strategy of lobbying governments, international institutions, and religious leadership. However, the strategic shift in the 1970s offered direct support to groups and individuals engaged in struggles for human rights in developing countries while also extending support to groups and individuals working against authoritarianism and military dictatorships. Following the 4th Assembly, when significant changes were introduced, the human rights focus was also recast. It was well known that the issue of human rights has often been misused politically. Regarding the WCC's policies, there was a general impression that human rights concerns were loaded more in relation to West European and North American ideological influences. But this perception was dispelled by a statement on policies, priorities, goals, and procedures in the field of human rights adopted by the CCIA executive committee in July 1971, which states:

the CCIA should consistently interpret human rights in the light of the Christian conception of the relation of God and man and the brotherhood of all men as sons of God. This conception will necessarily move beyond the Western liberal interpretation that views individual rights as supreme, to give emphasis to the collective rights of all men to act in the pursuit of dignity free from exploitation by their fellow men, whether this exploitation is political or economic in character.<sup>6</sup>

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6. «A Decade of Human Rights in the Work of the WCC, Report from the CCIA Human Rights Advisory Group.» In: Jose Zalaquett, *The Human Rights Issue and the Human Rights Movement: Characterization, Evaluation, Propositions* (Geneva: Commission of the Churches on International Affairs, World Council of Churches, 1981).

Anti-racism was a major part of the WCC's post-war human rights engagement, although the two remained as largely separate agendas until the 1960s. Anti-racism became a central concern and a turning point in the history of the WCC's concern on human dignity and human rights; thus, anti-racism advocacy became an instrument to ensure a shift from pronouncements to action, especially through the Programme to Combat Racism (PCR). This shift intensified the WCC's firm conviction and made its position categorical and consistent, especially in its denunciation of apartheid from 1948 to 1994.

The WCC did not spring into action on anti-racism even after the 2nd Assembly in Evanston in 1954: it was only in 1960 that it established its Secretariat on Race and Ethnic Relation. However, the fact that this secretariat's work was not mentioned much at the 1968 assembly in Uppsala suggests it was of limited significance. The WCC's deliberations in the following years produced a series of statements reaffirming what had been said at the assembly in Evanston and building on it, but it is only near the end of the 1960s that one finds more specific actions being taken. The continued impulse of the American civil rights movement contributed to develop more concrete actions. In its section on international affairs, the report of the assembly in Uppsala proclaimed that "contemporary racism robs all human rights of their meaning and is an imminent danger to peace. Racism is a blatant denial of the Christian faith."

Nolde's speech on human rights at the WCC's assembly in Uppsala, in the context of the UN International Year of Human Rights, touched on racism, stating that the assembly offered "a signal opportunity for the consideration of specific problems, such as racism, in the context of the broader issues of human rights." Speaking after Nolde, Dr Robert K.A. Gardiner, the executive secretary of the UN Economic Commission for Africa, tied the need to overcome racism and the legacies of colonialism to human rights. The specific policy recommendations under the heading of "human rights" that came out of the assembly in Uppsala, however, were still very much focused on developing the UN's international human rights instruments: advocating for ratification and national application of the UN Covenants, pushing forward the Draft International Convention on the Elimination of all Forms of Religious Intolerance and of Discrimination based on Religion or Belief, and promoting the appointment of a high-level UN official tasked with coordinating action in the field of human rights.

Although the term “human rights” was not the focus of the deliberations of the PCR, and although it had made relatively little use of the language of human rights, the PCR’s emphasis and activities undoubtedly fell within the ambit of human rights. Since the Western liberal conceptualization of human rights largely viewed human rights only in liberal individualist terms, human rights language was not stressed as a focus of the PCR. Racism, then and now, being one of the most pertinent issues related to human dignity and human rights, has been a real problem of human rights. But the approach of PCR was to move beyond the concept of rights of individuals to encompass the liberation of peoples. The struggle against racism in the 1960s and 1970s wasn’t seen as people’s struggle against the violation of human rights. The high visibility of the PCR during that time therefore considered or marked an ideological shift for the WCC, where the battle for social justice became more important than engagement for human rights in its limited liberal understanding.

The WCC’s engagement with the UN and human rights discussions through its commission, the CCIA, helped to initiate the crafting of an anti-racism policy with human rights language over the years. However, there was a general perception that there existed only a weak connection between the WCC’s human rights agenda from 1948 to 1968 and its establishment of the Programme to Combat Racism in 1969. But the CCIA remained committed to its liberal human rights idiom, focused on non-discrimination and civil and political rights, whereas anti-racism, especially in a case like the struggle against apartheid, was growing into something more radical. The discussions on racism leading up to the PCR’s creation were dominated by concern for structural, especially economic, factors. It was in the 1970s that the WCC was more firmly able to redefine its human rights advocacy to be attuned with support for people’s struggles for social justice and liberation from social discrimination, paving the way for the PCR’s work to be fully understood as a struggle for human rights. The affirmation that human dignity as the key criterion for human rights should be the basis for “standards of minimum treatment” was more evinced in the anti-racism programme. The PCR’s stress on supporting liberation movements gave new impetus for the WCC to apply similar approaches in the case of other people’s movements working in contexts such as the rise of military dictatorships in Latin America.

Controversy over the WCC’s position on human rights became most serious when the Orthodox layman Lev Regelson and a priest, Yakunin, sent a letter to the WCC’s general secretary, Philip Potter, in 1975, on the



eve of the assembly in Nairobi. While Potter did not allow the letter to be discussed as part of the assembly's formal proceedings, long excerpts from it were published in the assembly newspaper on 25 November 1975. Russian Orthodox members called the WCC to make religious liberty "the central theme of Christian ecumenism," which ultimately led to discussion on the Helsinki Final Act. The multifaceted act addressed a range of prominent global issues and in so doing had a far-reaching effect on Cold War politics and US–Soviet Union relations. The assembly in Nairobi was "unable to reach a clear position or critical reflection on its own attitude towards the question of religious freedom in the socialist states." However, at the assembly in Nairobi, the WCC adopted a position on human rights that constituted a major turn away from its established stance, which triggered what would subsequently be referred to as a "human rights explosion" in the work of the WCC.

At the assembly in Uppsala in 1968, during the United Nations' International Year for Human Rights, the WCC continued to prioritize religious liberty as the key item on the churches' agenda, since the impact of this issue was seen to affect the churches most directly. The assembly in Nairobi subsumed the whole explosive issue of human rights under a section entitled Structures of Injustice and Struggles for Liberation.

The need for churches to embrace human rights as part of a wider vision was emphasized by the CCIA from time to time. Ahead of the WCC central committee's 1971 meeting in Addis Ababa, the CCIA submitted a Memorandum on Human Rights and a statement on Unity and Human Rights in Africa Today. The memorandum focused attention on the need to implement human rights standards as established at the UN and by regional bodies in Europe, Latin America, the Middle East, and Africa. The statement on Unity and Human Rights in Africa Today warned of the effects of colonialism and neo-colonialism in the form of foreign interference, which "makes the solution of the existing problems of tribalism and internal dissidence more difficult." The statement called also for the support of the WCC's member churches aimed at assisting African nations in attaining and preserving "their full self-determination, independence, and unity," including pressuring governments and corporations to cease selling arms to white-minority regimes, "giving support and encouragement to foreign mercenaries," and executing projects that "entrench racist and colonial majority regimes in Africa."

The WCC underscored a number of social, economic, and collective rights—such as the right to work, food, health care, education, and self-determination—in addition to civil and political rights. Religious freedom featured as only one issue among others: it occupied last place in a list of six general headings. Moreover, the assembly in Nairobi emphasized the need to look at the conditions under which human rights were violated, thus embedding concern for human rights in a far more wide-ranging agenda for progressive change. With over 50 percent of the WCC's member churches coming from outside the West, whereas the ecumenical movement had originally emanated from Western Europe and North America, the new stance represented a challenge to established liberal views on human rights as represented by Amnesty International, the International Commission of Jurists, and the International League for the Rights of Man. Finally, the assembly in Nairobi shifted the locus of the WCC's engagement to its member churches. Although the CCIA would continue representing the WCC at the United Nations, the churches belonging to WCC membership were called upon to undertake action at the local, national, and international level. The assembly in Nairobi's new agenda for human rights was hailed by its proponents as a newly "integral" or "inclusive" ecumenical consensus, but it was, and has continued to be, a source of great controversy.

Ecumenical human rights engagements in Latin America, facilitated and coordinated by the WCC in the 1970s, concentrated mainly on opposition to the rise of military dictatorships in Brazil, Uruguay, Argentina, and Chile, among other countries. Solidarity supports spurred a worldwide response during those years, generating a transnational human rights network in which the WCC was a key actor. WCC's long-standing commitment and experiences in human rights advocacy helped to enable effective international campaigns against the repressions and human rights violations that were intensifying across Latin America.

The first country that drew the WCC's attention in Latin America was Brazil, which had been under military dictatorship since a coup in 1964, but where repression intensified significantly from December 1968. The WCC had maintained close relations with Brazilian member churches since the 1950s. As information about the ongoing repression within the country under the authoritarian dictatorship began to leak out, WCC started condemning the deteriorating situation. The CCIA's documents of the early 1970s show how it self-consciously chose the frame of human rights as the appropriate one to combat repression, while maintaining a structural analysis of its causes

in the Latin American context.

The WCC executive committee in 1970 “noted that there was growing concern about the increasing number of reports alleging severe curtailment of human rights and legal guarantees in Brazil.” It moved for “the proper bodies of the World Council” to support “those who, in conscience, may be struggling for the realization of human rights for all without discrimination.” Rev. Dwain C. Epps, who was CCIA’s secretary in the 1970s, wrote an overview of the situation in Latin America in which he reported that “where no provision has been taken to ensure that a nation participates justly in the profits derived from the exploitation of its natural resources and manpower by foreign investors, not only is little done to narrow the gap between rich and poor, oligarchies find themselves obliged to resort to frequently brutal political repression in order to maintain their privileged position.” His analysis further elaborated that “the clearest response the CCIA can make to the situation described above is to be found within the frame of reference of the protection of human rights.” When the human rights situation was deteriorating in Uruguay, the WCC became directly involved. A series of meetings organized with Latin American church leaders in 1972 analyzed and highlighted the extent of the government’s repressive measures.

The WCC’s embryonic work on Brazil and Uruguay, especially through initiating “a pilot project on human rights law and defence of political prisoners in Argentina,” led the WCC’s staff to begin to dream of broader possibilities of involving the churches more deeply in the field of human rights to envision collective actions against human rights violations. In 1972, the WCC’s Latin America Working Party recommended at a meeting that the WCC give priority to “the formation of a Working Group on Human Rights composed of leaders of the member Churches who have shown their concern about the human rights violations.” Facilitated by the CCIA, together with two other WCC programme areas—the Commission on Inter-Church Aid Refugee and World Service (CICARWS) and the Commission of the Churches’ Participation in Development (CCPD)—this working group was aimed at starting a process to educate the Latin American churches about the attacks on human dignity in Latin America. The Working Party’s proposal resulted in a Consultation on Human Rights and the Churches in Latin America.

Human rights in relation to Latin America was another major issue discussed at the assembly in Nairobi. A report produced at the assembly on Latin America reflected concerns of the developing world and reiterated

the importance of the relationship between structural root causes, such as underdevelopment and inequality on the one hand and symptoms—violations of human rights—on the other. The immediate concern of the report addressed civil and political rights, since the military regimes that had come to power in Brazil, Uruguay, Chile, and elsewhere in the preceding years stood in the way of social justice. The major concerns addressed included the illegitimate way in which governments had come to power in these countries, repression, torture, and disappearances. Financial and other support for organizations opposing these regimes marked an important step in the WCC's human rights engagement, especially from the 1973 military coup in Chile onward, as the WCC instituted a separate Human Rights Resources Office for Latin America (HRROLA), which helped spur the assembly in Nairobi to its ambitious vision for human rights.

HRROLA has always worked in close collaboration with the CCIA. The methodologies evolved in the CCIA for human rights activities have been tested and found effective in Latin American human rights advocacy work. From the experiences of the work related to HRROLA, it was found that the way in which monitoring, advocacy, study, and awareness-building intertwine in efforts to enable churches in Latin America to defend human rights has become both a challenge and a model for ecumenical involvement in working toward upholding human dignity and human rights.<sup>7</sup>

The ecumenical response to systematic and brutal human rights violations in Latin America was the crucible in which the WCC's conception of human rights was expanded and reworked into a thrust on liberation theology. While many liberation theologians were initially indifferent or suspicious of the concept of human rights, ecumenical meetings helped to convince them of not only its pragmatic utility but its value as a moral principle. At the same time, they remained aware of some of its limitations and conceived of it as part of a Christian social ethic rather than its starting point. As the CCIA's executive secretary, Erich Weingärtner, looking back in 1983, observed regarding Chile, the WCC had exercised "considerable restraint" in speaking out publicly.<sup>8</sup> This is due to the fact that it was felt much more important to support the life and witness of the churches of Chile, which ultimately

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7. van der Bent, *Christian Response*, 33.

8. Bastiaan Bouwman, *Universal Rights in a Divided World: The Human Rights Engagement of the World Council of Churches from the 1940s to the 1970s*. Thesis submitted to the Department of International History of the London School of Economics and Political Science for the degree of Doctor of Philosophy, London, September 2018

has been proven to be far more effective for the promotion of human rights than making a political point by means of a statement. It was true to assume from experiences that the WCC and its interlocutors were uncertain as to whether social, economic, and collective concerns could effectively be framed as rights. However, WCC leaders were convinced that in a moral key, WCC could play an important role to generate moral outrage and pressure for structural changes.

In this regard, Bastiaan Bouwman, a research scholar at the Cold War International History Project of the Woodrow Wilson International Center for Scholars, observed that the relationship between human rights as articulated at the assemblies in Uppsala and Nairobi on the one hand, and other ecumenical causes on the other, was an important one that needed to be further researched. He observes:

Racism, self-determination, refugees, development, the position of women, and other issues were clearly connected to the WCC's discourse on human rights, but the nature of these linkages and intersections varied over time. As an institution that engendered debate and action in relation to these issues, the WCC impacted upon the imaginaries of many millions of Christians worldwide. By vastly expanding its conception of human rights at Nairobi, the WCC went far beyond what secular partner organizations like Amnesty International were willing to say and do. Whereas Amnesty tended to decontextualize human rights violations in order to depoliticize them, and at the time only worked on issues of civil and political rights, the WCC pulled in the opposite direction, embracing human rights as part of a much wider, religiously inspired vision of liberation.<sup>9</sup>

While the human rights situation in many parts of the world became complex, the question of how to prioritize the emphasis and focus of the WCC's human rights work in terms of addressing such a situation was often pondered within the WCC from the 1970s onward. WCC central committee meetings held in 1972 and 1973 decided to "urge member churches individually and collectively to strengthen their actions for the implementation of human rights." This was happening amidst mounting

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9. Bastiaan Bouwman, "Nairobi, 1975: The World Council of Churches and Human Rights" in *Online Atlas on the History of Humanitarianism and Human Rights* <https://hr-atlas.ieg-mainz.de/articles/bouwman-nairobi>.

controversy regarding the content of human rights. It was in this context that an international consultation on Human Rights and Christian Responsibility was organized by the CCIA/WCC in 1974 at St Pölten, Austria.

The St Pölten consultation, with participants hailing from seven regions, represented a major step in the process whereby the WCC sought to articulate its position and policy on human rights. It identified six basic rights: “the essential human right to life, the right to enjoy and maintain cultural identity, the right to participate in decision-making within the community, the right to dissent, the right to personal dignity, which includes protection from torture, and the right to religious liberty.” This list was taken with minor modifications from the consultation’s report and was presented to the assembly in Nairobi. The St Pölten consultation stated: “Individual rights and collective rights are not in flat opposition. They are related. It should be the aim of the community to secure the welfare of all its members, the aim of the individual to serve the general good. In both instances rights involve responsibilities.” In this context, WCC stated that it was important to challenge any society that, for the sake of what it calls national security, violated human rights and freedom of individuals as well as those who were standing against authoritarianism and dictatorship. The WCC central committee meeting held in Geneva in August 1973 received the report of the St Pölten consultation and stated: “it is a demand of the Gospel that Christians become directly involved in processes of change of all social structures in which human rights are not fully implemented.”<sup>10</sup>

While contributing to the shift toward embracing a conception of human rights that varied sharply from that of the previous decades, different interpretations were offered by the St Pölten consultation as to how to understand this recasting of human rights: it was capacious, liberationist, communitarian, and overtly political, as opposed to being focused on religious freedom, secular, individualist, and depoliticized. A process of mainstreaming the concept of human rights within the WCC was introduced, especially by getting different departments and commissions of the WCC to reframe their work in terms of human rights.

The position of the WCC, based on its convictions, that emerged from various studies and discussions by the time of the 5th Assembly, was that a church seeking the realization only of its own rights is neither credible nor

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10. CCIA, *The Churches in International Affairs: Reports 1974–1978* (Geneva: WCC, 1979), 14.

true to the gospel mandate. The right to religious freedom was therefore integrated into a comprehensive catalogue as one of the basic human rights but no longer given any exclusive predominance. The shift that took place at that time was in the direction of enriching and enlarging existing narrow definitions and putting human rights into the context of concrete historical situations, as well as an increasing emphasis on the essential role of member churches in the implementation of human rights in this larger perspective.

The St Pölten consultation and the assembly in Nairobi became significant milestones for providing a biblical basis for human rights, which subsequent theological consultations and debates elaborated on. The effects of this differed depending on its reception by the WCC's member churches and related organizations.

The Interconfessional Study Project on the Theological Basis of Human Rights, coordinated by the CCIA from 1978 to 1980, brought together in a common platform various interconfessional bodies such as the World Alliance of Reformed Churches, the Lutheran World Federation, the Pontifical Commission for Justice and Peace, the Preparatory Committee of the Pan Orthodox Council, the Baptist World Alliance, and the Anglican Consultative Council. Theologians who represented these organizations attended a month-long meeting held in Geneva in 1980 and affirmed

that a common Christian understanding exists in the basic doctrine that all theological statements on human rights derive from the Christian anthropology of the human person created in the image of God. Thus, all people irrespective of their skills and achievements have the same inviolable and inalienable dignity and a common hope: the human destiny of being made in the image of God is to be perfected by becoming like unto God.<sup>11</sup>

There was a general perception during those days that though the WCC stressed collective rights, this should be understood as a negation of a narrow liberal conception of human rights rather than of individual civil and political rights as such. It was also understood by many that the outcome of consultation at St Pölten and the assembly in Nairobi was a compromise between collectivist third-world representatives and individualist first-world representatives. In fact, the WCC was not content to merely point the finger

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11. "An Interconfessional Study Project on the Theological Basis of Human Rights," in *Human Rights: A Challenge to Theology*, Marc Reuver, ed. (Rome: CCIA & IDOC International, 1983), 20–27, at 25.

at the global North: it encouraged churches in the South to adopt a critical stance toward their own societies and states. For example, WCC general secretary Philip Potter's speech at the assembly of the All-Africa Conference of Churches (AACC), held in Lusaka in 1974, outlined the main thrust of the WCC's position. Potter stated that although Africans had suffered untold hardships by the foreigners, he challenged Africans to see the other side of the coin—their own contribution to injustice and oppression—and emphatically declared the need to also take an introspective look at themselves.

In the years following the assembly in Nairobi, the CCIA put out major statements that reflected the continuing capaciousness of its human rights agenda: torture (1977), extrajudicial executions (1982), refugees and migrant workers (1983), the death penalty (1990), Indigenous people and land rights (1991), and violence against women (1992). At the same time, its programmatic emphasis on root causes and its concomitant stress on collective rights remained. In 1993, a CCIA review reaffirmed the 6th Assembly of the WCC's 1983 statement that "human rights cannot be dealt with in isolation from the larger issues of peace, justice, militarism, disarmament and development." In line with this, the CCIA observed that "most WCC programmes are designed to promote and bring about structural changes in favour of the poor and the oppressed."

The WCC's member churches were thus "encouraged to promote efforts that are geared to enlarge socio-economic, political and cultural rights of the people." The review mentioned "specific human rights issues" such as "torture, death penalty, extra-judicial killings, etc." At St Pölten and Nairobi, the WCC embraced a conception of human rights that differed sharply from that of the previous decades: it was extensive, liberationist, communitarian, and overtly political, as opposed to focused on religious freedom, secular, individualist, and depoliticized. Different interpretations have been offered as to how to understand this changing and reorganizing concept of human rights. Karsten Lehmann has opined that these years saw a process of mainstreaming the concept of human rights within the WCC, whereby human rights were adopted as a common denominator of WCC activities.<sup>12</sup> Different programme units or areas of the WCC reframed their ongoing activities in terms of human rights.<sup>13</sup>

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12. Karsten Lehmann, *Religious NGOs in International Relations: The Construction of 'the Religious' and 'the Secular'* (New York: Routledge, 2016), 112–14.

13. CCIA, *Churches in International Affairs*, 46.



The increased role of the ecumenical community in concrete expressions of international solidarity in the struggle for human rights and dignity through the WCC and regional, national, and local ecumenical bodies was evident since the assembly in Nairobi. This was recognized by the 6th Assembly of the WCC. The assembly in Vancouver, which reflected on the theme “Jesus Christ, the Life of the World,” reaffirmed the WCC’s common commitment as a fellowship “to work even more fervently for the elimination of all forms of inhumanity, brutality, discrimination, persecution and oppression, both within our own countries and situations, and in ecumenical solidarity on a regional and world level.”

A Statement on Human Rights adopted at the assembly in Vancouver highlighted “the cooperation that emerged in the field of human rights between the Christian community and peoples of other living faiths and ideologies, based on their common commitment to human values and social goals.”<sup>14</sup> Drawing on the experiences and lessons from the past, it was further stated that “following [the] assembly in Nairobi, the churches have seen the need to broaden their understanding of human rights to include the right to peace, the right to protection of the environment, the right to development and the right to know one’s rights and to struggle for them.”<sup>15</sup> It was also stated that human rights cannot be dealt with in isolation from the larger issues of peace, justice, militarism, and disarmament. The assembly in Vancouver reiterated the WCC’s position and commitment to human rights and appealed to the churches to dedicate themselves with renewed vigour to the task of raising the consciousness of the people concerning their profound responsibility for the implementation of human rights and for the demonstration of their biblical foundation.

The assembly in Vancouver noted that as discrepancies inevitably exist between what has been professed and what is being practised, there is a need to move beyond making declarations about human rights and duties to making more effective use of existing mechanisms and to devising, where necessary, new means for meeting the challenge. To work for the implementation of human rights, the delegates of the assembly in Vancouver, in a statement adopted on human rights, urged the WCC and its member churches to continue their practice of a pastoral approach, which combines prayer, preaching, and practical efforts in action. The need for more practical

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14. International Affairs at the Sixth Assembly World Council of Churches, Background Information, CCIA, 1983, 20.

15. International Affairs at the Sixth Assembly, CCIA Background Information, 1983/4.

approaches to strengthening human rights advocacy by the ecumenical movement was emphasized in a statement adopted by the assembly in which the following specific initiatives and areas of involvement were proposed:

- additional financial resources to be made available for the churches to carry out human rights programmes
- announcement of an International Day of Prayer for human rights
- creation of a “world action week” for the education of church members and promotion of human rights
- establishment of a series of regional and global review conferences to evaluate the work done by the churches in the field of human rights
- appeal to all governments of the world to adopt and ratify intergovernmental instruments of human rights

The recommendation of the assembly in Vancouver called for continuation of the WCC's Human Rights Programme and the Human Rights Advisory Group (HRAG), with a more clearly focused mandate to be maintained to assist the churches. As early as 1977, the CCIA decided to establish a Reference Group on Human Rights within the commission and adopted terms of reference with an aim to deal with the global concerns of the WCC in the field of human rights. The mandate of the HRAG was revisited, and a new mandate was given to meet annually to review, assess, and propose specific areas of action and implementation through ecumenical coordination. The function of the advisory group has been always effective in order to carry out human rights advocacy and address emerging human rights concerns. Responses to emerging human rights concerns in countries and regions across the world were addressed on the recommendation of the advisory groups from time to time. Ecumenical responses to human rights situations in countries such as Korea, the Philippines, Indochina, Lebanon, El Salvador, Armenia, Marshall Islands, New Caledonia, French Polynesia, Sri Lanka, East Timor, South Africa, Sudan, Ethiopia, South Atlantic (Falklands/Malvinas crisis), and Zimbabwe were articulated. More specific emerging issues also were the focus of the Advisory Group: for example, the Indochina conflict, militarism and human rights, globalization, genocide in Rwanda, and rights of Indigenous people. The 7th Assembly held in Canberra, Australia, in 1991 more specifically expressed the rights of the Indigenous people of Australia, the Aboriginal People and Torres Strait Island people, and their struggle for survival.

The HRAG was re-established within the CCIA in accordance with the decisions and recommendations adopted by the WCC central committee in 1984. Terms of reference were adopted in a meeting of the CCIA in January 1985. Priorities in the human rights work of the WCC were further identified and sharpened by HRAG in its meeting held in Glion, Switzerland, in January 1986. These meetings emphasized the need for giving new impetus for the WCC's human rights agenda, especially in close contacts with programmes of churches and ecumenical bodies at the local, national, and regional levels, particularly the regional ecumenical organizations (REOs), such as the AACC, CCA, PCC, CCC, MECC, CLAI, and CEC, and North American ecumenical bodies, such as NCCUSA and CCC.<sup>16</sup> The collaboration with REOs in implementing human rights programmes has been effective for the CCIA's strategic initiatives. The creation of the Churches' Human Rights programme for the Implementation of the Helsinki Final Act, a programme co-sponsored by the Conference of European Churches, NCCUSA, and Canadian Council of Churches became a model for such joint actions. The opportunities for providing accreditation to representatives of churches and ecumenical bodies to attend the sessions of the UN Human Rights Commission and UN Human Rights Council have birthed effective collaborative ecumenical actions in the WCC's human rights advocacy during the past several decades.

Major areas of human rights concerns for which special attention was needed as part of the WCC's human rights work after the assembly in Vancouver have included Southern Africa, the Middle East, Central America, the Horn of Africa, Indochina countries, the Philippines, Indonesia, Sri Lanka, South Korea, Namibia, Uganda, Lebanon, Cyprus, Granada, Nicaragua, El Salvador, New Caledonia, Fiji, Poland, and the USSR.

In Latin American and Caribbean contexts, renewed repressions and human rights violations continued in the 1980s. Three fresh developments posed serious challenges to churches and other actors in these two regions where human rights situations became complex: the repressive actions of the military, the crushing debt crisis, and the increasing narco-economics. The solidarity team visits organized by the WCC in affected areas and countries, especially the physical presence of representatives of WCC member constituencies, have been of great significance to churches faced with vulnerable situations, such as those in El Salvador, Haiti, Nicaragua, Chile,

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16. CCIA, *The Churches in International Affairs: Reports 1983–1986* (Geneva: WCC, 1987), 32.

Argentina, Uruguay, Paraguay, and Honduras. Pastoral team visits organized by the WCC to other regions and countries, such as to the Philippines, Taiwan, and South Korea, helped churches to experience solidarity support amidst the struggle for human rights.

The WCC's human rights work following the assembly in Canberra was carried out at a time of radical transformation of history and geo-political changes. These included the collapse of communism in the USSR and throughout the Eastern bloc, the genocide in Rwanda, as well as several other situations where human rights have been under grave threat. The era after the Canberra assembly was also a period in which religion became a more consistent factor in conflict as well as an integral part of a growing trend of ethnocentrism and nationalism, which were causes for massive human rights violations in many parts of the world. It was in such a context that the United Nations World Conference on Human Rights met in Vienna, Austria, in 1994. As part of the preparation for the World Conference on Human Rights, three regional preparatory meetings (PrepCom) were organized by the United Nations in 1992 and 1993: in Tunis (Africa), San Jose (Latin America), Bangkok (Asia), and a common final meeting in Geneva.

At the Regional PrepCom meetings, CCIA participated through the representatives of the REOs and shared ecumenical experiences in dealing with human rights issues in different parts of the world. The debate at those meetings focused on the following issues: the notion of the universality of human rights, the right to development as an inalienable human right, the right to national sovereignty, the right to self-determination, and the rights of women and Indigenous people. The discussion on these issues resulted in polarization between the countries of the North and the South. For the South, the notion of universality became problematic, as the participants argued that the universality of human rights should be defined within the context of the culture and tradition of a particular country or region.

It was clear from the debates about the universality of human rights and the right to development that these were not new issues in the ecumenical agenda on human rights. The representatives of the ecumenical movement who attended the Vienna Conference recalled the ecumenical agenda on human rights discussed in detail at the 1974 St Pölten Consultation. The participants of that consultation, from all the regions—North and South, and East and West—debated the issue of universality of human rights and the right to development in a similar context. At that time, too, two different views were expressed on the issue. The first held that economic, social, and

cultural rights were not rights in the same legal sense as others and should be dealt with by Christians in the context of their understanding of service and charity. The second view was that though God cares for each individual, salvation itself is the reconciliation of an individual to communion with God in the fellowship of the people of God. There can therefore be no priority of the individual over the community, since the separation of the individual from the community is equivalent to separation from the Holy Spirit, which is equal to sin and death. This position insists that collective rights take priority over those of the individuals. Over the years, the ecumenical movement has broadened its understanding to accept the interrelatedness of civil and political rights as well as socio-economic and cultural rights.<sup>17</sup>

On the 20th anniversary of the adoption of the UDHR, the UN organized a World Conference on Human Rights, held in Tehran in 1968. In view of the significant changes in international affairs recognized by the 4th Assembly of the WCC, held in Uppsala that same year, the WCC central committee called for a review of ecumenical policy on human rights before the 5th Assembly was held in Nairobi in 1975. A quarter of a century beyond the assembly in Uppsala, and again in connection with a UN World Conference held in Vienna in 1993, the WCC central committee called for “a global review of ecumenical human rights policy and practice” to harvest the learnings of that period and to explore new challenges.<sup>18</sup> The CCIA had organized and facilitated consultations and review meetings for more than four years in collaboration with different REOs.

- An elaborate process of reviewing the involvement of the WCC in human rights identified several main areas of contributions to the ecumenical agenda on human rights. As a result, the review process evolved strategies to:
- deal with human rights abuses, especially in bringing victims of torture to the Human Rights Commission and its working groups to give personal testimonies
- facilitate the direct testimonies of family members of disappeared persons in international fora
- make it possible for direct representation of church-related human rights defence groups from different parts of the world to bring their own cases to world attention through the UN

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17. “Human Rights: A Global Ecumenical Agenda,” part II, WCC /CCIA, June, 1993.

18. Report of an international ecumenical consultation convened by CCIA, Morges, Switzerland, 23-27 June 1998.

- develop expertise in cooperation with other international human rights organizations in pressing for new international standards, like those contained in the “Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment”
- advocate for new mechanisms in the field of forced disappearances and “Summary and Arbitrary Executions,” as well as international efforts to abolish the death penalty.

The consultations organized in various regions on a Global Review of Ecumenical Practices and Policies on Human Rights identified priorities for future ecumenical advocacy initiatives:

- *Human rights education*: Importance should be given to human rights education, and struggle against poverty should be a priority (Latin America region, Quito, Ecuador, 24-28 October 1994).
- *Rights of migrant workers*: Protect the rights and dignity of migrant workers; develop the interrelatedness of the theological concept of reconciliation without undermining the struggles of the people for human rights; recognize the need for fostering interreligious actions for human rights work in the Asia and Pacific regions; support the struggles for self-determination of the peoples in the colonized countries and regions such as East Timor, West Papua, Kanaky, French Polynesia, Bougainville (Asia and Pacific regional meeting, Bangkok, Thailand, 14-17 November 1994).
- *Capacity building on human rights*: Initiate capacity building on human rights advocacy of churches at the grassroots levels; increase efforts that help sensitize and inform the public and the churches on human rights issues; interfaith dialogue on human rights (Middle East regional meeting, Cyprus, 30 November-4 December 1995).
- *Interventions and lobbying*: Engagement in legal and political actions need to be taken, lobbying for the promotion of national and international legislation for the protection of human rights; developing networks with churches and NGOs for sharing of human rights concerns; encourage mutual support and joint actions of the REOs on specific human rights issues (European regional meeting, Geneva, Switzerland, 29 May-2 June 1996).

- *Role of religion in conflict:* Take initiatives for conflict resolution; create forms of Truth Commissions; develop ways to strengthen global human rights through new institutions; add right to peace as a separate right in the Human Rights Agenda; peace-making should include peace-keeping and peace-building (North America regional meeting in the US, New York, 27-29 September 1996).
- *Establish linkage between local and international:* Increase linkage between those engaged in human rights on an international level and those engaged in addressing human rights violations in the local context; encourage and ensure broad participation at all levels of human rights work; link human rights work to the wider development agenda (North America regional meeting in Canada, Crieff Hills Community, Canada, 4-6 December 1996).
- *Support the establishment of effective networks:* Equip the church to stand with the marginalized majority and the impoverished in their struggle for human rights; support the building of a holistic community that is not dichotomized; manifest exemplary courage in resisting oppression and provide sanctuary for victims of human rights violations; the church should use its moral authority to protect women, children, and non-combatants in war situations (Africa regional meeting, Nairobi, Kenya, 28-30 May 1997).

At the jubilee 8th Assembly of the WCC, held in Harare in 1998, it was decided to recommit to the principles of the UDHR and to promote and defend the values of human rights and human dignity that emerge from the rich heritage of people's religions, cultures, and traditions. The indivisibility of human rights—including social, economic, cultural, civil, and political rights—and the rights to peace, development, and the integrity of creation was reaffirmed as a priority concern while dealing with human rights. The assembly in Harare also emphasized the need to pursue the goal of encouraging and supporting the efforts of the UN, seeking cooperation with peoples of other faiths and convictions, and joining in partnership with other civil society groups and organizations.<sup>19</sup>

The assembly in Harare addressed the new challenges to human rights of peoples, communities, and individuals resulting from globalization of the economy, culture, and means of communications, including the erosion of

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19. CCIA, *The Churches in International Affairs: Reports 1995–1998* (Geneva: WCC, 2004), 48–52.

the power of the State. The major concerns highlighted in the Statement adopted by the 8th Assembly of the WCC were:

- the indivisibility of human rights
- the politicization of religion
- the universality of human rights
- global ethics and values related to human rights
- human rights and human accountability
- prosecution against violations of human rights
- elimination of the death penalty
- human rights and peace building
- human rights and human responsibility
- overcoming religious intolerance
- religious freedom as a human right
- the rights of women
- the rights of uprooted people
- the rights of Indigenous peoples
- combatting racism as a violation of human rights
- rights of people with disabilities
- interfaith cooperation for human rights
- human rights education
- peace building and human rights

These eventually became priority areas of the WCC's human rights work in the period after the assembly in Harare.

Ecumenical priorities and responses to human rights concerns after the Harare assembly were truly noteworthy. The WCC's human rights agenda was focused on addressing the emerging human rights situations in different parts of the world, such as in Angola, Congo, Dominican Republic, Ethiopia, Liberia, Mozambique, Nigeria, Sudan, Sierra Leone, Zimbabwe, Bangladesh, East Timor, Indonesia, Pakistan, India, Sri Lanka, Philippines, Haiti, Bolivia, Cuba, Romania, Turkey, Yugoslavia, Argentina, Chile, Columbia, Guatemala, Iraq, Israel-Palestine, and Fiji. Many political issues were posing



major challenges to human rights for the churches; the ecumenical movement responded to them locally, regionally, as well as globally. Among these country situations, human rights in West Papua became a major concern of the WCC. Arising from West Papua's integration and the associated transmigration programme, a comprehensive record of human rights violations was documented—from the denial of economic and cultural rights to detention without trial, torture, and extra-judicial killings. The WCC was deeply disturbed by the deteriorating human rights violations in the West Papua region; several fact-finding missions and pastoral solidarity visits were organized by the WCC with ecumenical partners. Religious minorities and human rights situations in Eastern and Central Europe, religious minorities in the Islamic countries, and human rights amidst religious conflicts also became priority concerns in the WCC's human rights agenda in the years leading up to the 9th Assembly of the WCC, held in Porto Alegre, Brazil.

Given the dissatisfaction at the functioning of the United Nations Commission on Human Rights (UNCHR), a number of UN member states called for reforms. The WCC strongly supported a reform of the UNCHR in 2006. For over 60 years, the UNCHR played a unique role in developing universally accepted standards for promotion and defence of human rights. It was the highest global body responsible for overseeing respect for human rights by national governments. One of its major tasks was to monitor violations around the world and act on them during its six-week annual session in Geneva. Despite structural flaws and funding problems, the UNCHR continued to work effectively for the promotion and defence of human rights. However, the work of the UNCHR was virtually paralyzed by practices and policies of double standards and politicization of the human rights agenda by member States, including bloc voting by the regions.

When the secretary general decided to set up a high-level panel whose task was to propose overall reforms of the United Nations, including the UNCHR, the 9th Assembly of the WCC also focused on the reform of the human rights agenda. The assembly in Porto Alegre adopted a Statement on UN Reform, focusing on the need to ensure the quality of the United Nations' work to fight for human rights, justice, and peace. The WCC recalled its long association with the work of the UNCHR from the beginning of its formation, and the statement provided essential learning points on the ethics of solidarity through the relationship between the WCC and the UN.

The executive committee of the World Council of Churches, meeting in Geneva from 16 to 19 May 2006, underscored the importance of the UNCHR reforms in the following terms:

Stresses that reform of the UN human rights architecture must result in an improvement of the capacity of the UN to engage with and make a practical positive difference in the lives of victims of injustice, discrimination, and oppression around the world. The system of Special Procedures developed by the Commission on Human Rights, of the UN Human Rights Treaty Bodies as well as of the High Commissioner for Human Rights and her office should be actively supported, and their independence respected, and their capacity substantially enhanced.

Urges member states to avoid politicising the composition of the new Human Rights Council and give it a status within the UN architecture that reflects the central importance of human rights as one of the three pillars of the UN system. Members of the UN Human Rights Council must demonstrate through their policies, actions and domestic and international human rights record a genuine commitment to the promotion and protection of human rights, including the economic, social, and cultural rights. Being a UN member state or even a permanent member of the UN Security Council does not by itself meet this criterion.<sup>20</sup>

The WCC urged member churches to continue to encourage and support the efforts of the United Nations in strengthening the links between peace and security, development, and human rights—and, in this connection, continue to work closely with the newly formed Human Rights Council to promote and defend human rights, including monitoring and compliance by the states of internationally accepted human rights norms and standards.

Following the assembly in Porto Alegre, when the WCC undertook a restructuring of its programmes, human rights advocacy, and capacity building of churches in the regions and at the national levels again became a priority. A series of capacity-building training programmes were organized and facilitated by staff in different regions with a focus on human rights to uphold human dignity. The history of at least 60 years of ecumenical

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20. Statement of the executive committee meeting of the WCC, Geneva, Switzerland, 16-19 May 2006.

cooperation around human rights work shows continuous attention to the concept of human dignity. However, it was not self-evident that this concept furthered ecumenical dialogue as well as dialogue with other religious and philosophical traditions in in-depth ways. But the new human rights agenda of the WCC focused on deep theological reflections on human rights and human dignity as well as a specific contribution of Christian theology toward a wider debate on human dignity.

A global consultation held in Geneva in December 2007 brought together regional representatives, and a second study consultation with the participation of interreligious representatives was held at Bossey, Switzerland, in 2008 to help provide new impetus and deeper understanding on the concept of human rights and human dignity as well as mutual collaboration in human rights advocacy. Although it has not been part of the CCIA mandates, other programme areas of the WCC were also focusing on issues related to human dignity and human rights. For example, a special programme focused on the dignity of children was a prime mover for promoting the human rights and human dignity of children. Rights and dignity of the Indigenous people and the disabled also became part of other programme units but were not confined within the framework of the human rights programme of the CCIA. The churches' engagement with human rights and human dignity has a long theological tradition and prophetic witness. The underlying theological assumption of active concern for promoting and protecting human dignity, especially of those who are suffering, is the belief that all people created in the image of God constitute an inextricable unity. The WCC always underscored this theological principle.

The years between 2009 and 2013 until the assembly in Busan witnessed a substantial increase in human rights programmes as the human rights agenda of the WCC was expanded during this period. More attention was given to facilitate the participation of member churches and related organizations at the UN Human Rights Council sessions as well as the Universal Periodic Review (UPR), a unique State-led, peer-review process mechanism of HRC. It is aimed at reviewing and examining the human rights record of each UN member state every five years and helping improve the human rights situation on the ground in each of the member states. When 42 States are reviewed each year during three Working Group sessions dedicated to 14 States, the CCIA facilitates the participation of different churches as well as civil society organizations. In addition to that, side events with a focus on specific human rights situations as well as country situations were also organized jointly

with other international NGOs and regional ecumenical organizations. The Ecumenical Accompaniment Programme in Palestine and Israel (EAPPI), launched by the WCC in 2007, became a human rights advocacy priority as conflicts, violence, and human rights violations in the occupied territories continued to be a major human rights problem.

The CCIA meeting held in Durres, Albania, in October 2010 identified new programme priorities for the period until the next WCC assembly, to be held in 2013. The specific programmatic emphasis identified for the WCC's human rights work included dignity and rights of migrants and migrant workers, rights of stateless people, rights and dignity of children and women, support to strengthen national systems for the protection of human rights, and human trafficking. The relationship between religious freedom and human rights was also emphasized.<sup>21</sup> Programme policy recommendations emerged as an outcome of the discussions at the Albania meeting, and the CCIA leadership forwarded several specific recommendations to the WCC central committee through the programme sub-committee, which proposed "That the WCC programme related to migration be refocused on the dignity and rights of migrants, including migrant workers, forcibly uprooted persons and communities, stateless persons, climate refugees, people fleeing religious persecutions."<sup>22</sup>

Considering the deteriorating human rights situations in countries such as Iraq and Colombia and in the Middle East, the Albania meeting decided to focus its human rights advocacy in these places and to address the concern of freedom of religion and rights of religious minorities in countries such as Romania, Poland, Armenia, Indonesia, Pakistan, and Cuba. As a follow-up to the decisions in the 50th meeting of the CCIA, the following matters were addressed: advocacy against the blasphemy laws and persecution of religious minorities in Pakistan; peace, security, and human rights in Latin America, Africa, and Asia; stateless people in Asia, with a special focus on stateless Rohingyas in Bangladesh; and rights of migrant workers in the Arabian Gulf countries.

Since the Albania meeting of the CCIA, the human rights of stateless people became a focus of WCC's human rights work. The Albania meeting of the commission discussed the plight of stateless people in different parts of the world, an issue which was rather less known or less addressed at that time.

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21. Proceedings of the 50th meeting of the CCIA, 2-8 October 2010, St Vlash Monastery, Durres, Albania.

22. Proceedings of the 50th meeting of the CCIA.

Stateless persons, who are not recognized as nationals by any State, have no nationality or citizenship and live in vulnerable situations. As stateless people living in a particular geographical area are not protected by any national legislation, the consequences of their situation are profound. Statelessness, which affects all aspects of life, is a massive problem for 12 million people in different parts of the world. The CCIA identified this concern as a focus of its advocacy initiatives in the coming years and mandated the newly formed Working Group on Migration and Statelessness to address it.

The first international consultation with a focus on the human rights of stateless people was organized by the CCIA in 2011 and held in Dhaka, Bangladesh. Prior to the consultation, four teams of participants had the opportunity to visit camps and communities of stateless people in different parts of Bangladesh and Nepal. This helped them to understand the miserable life situations of stateless people—the Rohingyas and Biharis in Bangladesh, and Bhutanese and Tibetans in Nepal. The group, which visited Cox’s Bazar, Bangladesh, where a large number of Rohingya stateless people were concentrated, listened to sharing by Rohingyas themselves about their vulnerable situation. As early as the 1990s, nearly a quarter of a million Rohingyas had fled from Myanmar into neighbouring Bangladesh to escape persecution. The WCC was the first international church and ecumenical organization to initiate advocacy on the plight of the stateless Rohingya people, who are predominantly Muslims.

The Dhaka consultation on Human Rights of Stateless People affirmed the biblical and theological basis for prophetic witness on human rights and dignity of stateless people and communities:

We pondered on the question as to why churches and Christian bodies should be concerned about stateless people. The Bible itself bears witness to the stateless condition of the Hebrew people and God’s involvement to facilitate for them a homeland and therefore statehood. A popular Confession of Faith among the Hebrews was: “A wandering Aramean was my father: and he went down into Egypt and sojourned there, few; and there he became a nation, great, mighty, and populous. And the Egyptians treated us harshly, and afflicted us, and laid upon us hard bondage. Then we cried to the Lord the God of our fathers, and the Lord heard our voice, and saw our affliction, our toil, and our oppression; and the Lord brought us out with a mighty hand and an outstretched arm, with great terror, with signs and wonders; and he brought us to this place and gave us this

land, a land flowing with milk and honey.” (Deut. 26:5-9). Not only the Israelites but other people and communities who experienced statelessness, were also the concern of God: “Did I not bring up Israel from the land of Egypt, and the Philistines from Captor and the Syrians from Kir?” (Amos 9:7) is another reminder of God’s promise. God gave them all a homeland and thereby statehood.<sup>23</sup>

A second international consultation on Human Rights of Stateless People was organized by the CCIA in Washington, DC, US. It suggested that:

The issue of statelessness must be addressed in a comprehensive manner. The states must confer citizenship to prevent and reduce statelessness and protect the basic human rights of citizens and stateless people alike. Faith communities, civil societies, NGOs, and stateless persons will work together to advocate for the remedy and prevention of future statelessness. It is within the power of God the creator, the God of salvation and the Spirit of God that infuses us, to bring justice and peace to stateless persons.<sup>24</sup>

The recommendations by the Dhaka Consultation as well as those by the Washington, DC, Consultation gave new impetus to the CCIA to present an emerging concern of statelessness and rights of stateless people, whose plight was less emphasized or addressed by the international community at that time. A statement adopted by the 10th Assembly of the WCC, held in Busan, South Korea, called for “churches to raise awareness of the situation of stateless people living in their countries and around the world and to advocate for the protection of their human rights. The assembly asked “the WCC to take up the issue of stateless people as one of its programmatic priorities until the forthcoming WCC 11th Assembly.”<sup>25</sup> The decision of the assembly was introduced in the post-assembly programme structure of the WCC; the work in this area has been carried out through the mandates of the CCIA.

The UN Advocacy Week (UNAW) initiated by the CCIA since 2007 has been a major priority in the human rights advocacy agenda, highlighting human rights situations in different parts of the world. The UNAW was

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23. Statement of the CCIA international consultation on Human Rights of Stateless People, Dhaka, Bangladesh, 2011.

24. Mathews George Chunakara, ed., *Human Rights of Stateless People* (Geneva: WCC, 2013), 16.

25. Statement on ‘Human Rights of Stateless People’, *International Affairs at the Tenth Assembly Statements, Minutes and Resolution*, CCIA (WCC: Geneva, 2013), 21.

organized annually with the aim of ensuring the ecumenical movement's active participation in advocacy at various levels, as well as facilitating the capacity building of churches and ecumenical councils in advocacy. The UNAW started organizing a week-long event, initially in conjunction with a major UN event in New York; it was shifted to Geneva in 2010. The focus of the UNAW in 2010 was on human rights situations in Nigeria and in Palestine and Israel, but a focus on human rights in Myanmar was added. UNAW-2010 was organized in conjunction with the UN Human Rights Council session.

It was the first time that the WCC was able to address the Myanmar human rights situation ever since Myanmar (Burma) came under a military dictatorship in 1962. Although the WCC has been concerned about the authoritarian military dictatorship and the rampant militarization and human right violations going on in the country for decades, it was not possible to condemn the human rights violations openly through a statement or in UN human rights bodies, as churches in Myanmar feared possible retaliation by the military junta there. The initiative to include Myanmar as part of the UNAW in 2010 was a new beginning for the WCC's open involvement in human rights advocacy in Myanmar. In 2012, the CCIA organized a consultation with the Christian Conference of Asia (CCA) in Yangon, with a focus on peace and reconciliation in Myanmar. Ang San Suu Kyi, who was not then allowed to move around freely even within the country, managed to attend and even spoke at the CCIA/WCC and CCA joint meeting.

The human rights situations in Columbia, Guatemala, Myanmar, the Philippines, West Papua, Cambodia, Pakistan, Sri Lanka, Sudan, Sierra Leone, Nigeria, and Democratic Republic of Congo were priority concerns of the WCC leading up to the Busan assembly. In addition to UNHRC interventions, and the accompaniment of churches in their participation at the Universal Periodic Review (UPR) process of UNHRC, the CCIA organized numerous solidarity visits to areas where human rights have been under threat.

Religious freedom and rights of religious minorities have been constantly under threat in different countries. As decided at the Albania CCIA meeting, a working group to monitor the situation of freedom of religion was constituted. Special attention has been given to the initiation of a study on the freedom of religion and rights of religious minorities in selected countries. The Working Group on Religious Freedom and Human Rights organized

two study consultations: in Istanbul, Turkey (2011), and in Thessaloniki, Greece (2012). The preliminary report of the study process was presented to the 51st session of the CCIA, held in Nanjing, People's Republic of China, in June 2012. An expert meeting held in Havana, Cuba, in June 2013 finalized the study report, which was presented to the 10th Assembly of the WCC in Busan in October 2013.

Since the Albania meeting of the CCIA, the Working Group has been reviewing various country situations where religious minorities have been persecuted. An international hearing on the Misuse of the Blasphemy Law and Rights of Religious Minorities in Pakistan, organized by the CCIA/ WCC from 17-19 September 2012, was a major ecumenical advocacy event which was attended by about 100 participants from Africa, Asia, Europe, and North America, including 23 representatives of Christian, Muslim, and Hindu groups and civil society and human rights organizations from different parts of Pakistan. The hearing provided opportunities for participants to listen to, analyze, and understand the complex situation of the rise of religious fundamentalism and extremism and the misuse of the Blasphemy Law in Pakistan, which has led to blatant violations of human rights.

Since 2008, the CCIA has been involved in advocacy on the impact of the misuse of the Blasphemy Laws in Pakistan. Various central committee and executive committee meetings of the WCC issued statements on deteriorating human rights situations in Pakistan:

- Statement on the Crisis in Pakistan, central committee meeting, Geneva, Switzerland, 13-20 February 2008
- Statement on the Misuse of the Blasphemy Law and the Security of Religious Minorities in Pakistan, central committee meeting, Geneva, Switzerland, 26 August–2 September 2009
- Minute on the Current Situation in Pakistan, executive committee meeting, Geneva, Switzerland, 14-17 September 2010
- Statement on Abductions, Forced Conversions and Forced Marriages in Pakistan, central committee meeting, Kolympari, Crete, Greece, 28 August–5 September 2012

A statement on the Politicization of Religion and Rights of Religious Minorities adopted by the assembly in Busan specifically mentioned that “in a country like Pakistan, the politicization of religion by military dictatorships, introduced through changes in the penal code, systematized the misuse



of Blasphemy Law which is now a major instrument used by the religious extremists against the religious minorities in the country.”<sup>26</sup>

Ecumenical advocacy with a focus on human rights over the past 75 years has moved to embed the insights of various consultations, studies, and methodology to strengthen mechanisms for monitoring and enforcement. The ecumenical movement has worked to expose the abuses of anti-democratic, authoritarian, and military regimes and to deny legitimacy to them. The methodologies and practices followed over the decades have included:

- the promotion of solidarity among churches
- studies of specific causes of human rights abuses, including systemic issues such as the link between militarism and human rights violations
- workshops and training programmes for church-related human rights workers, church leaders, and others in the regions in cooperation with regional and national councils and churches
- dialogue encounters
- regionally focused initiatives, especially in Latin and Central America and the Caribbean, Africa, Asia, the Pacific, and the Middle East
- cooperation with other specialized international non-governmental organizations
- the provision of assistance to local and national churches and groups engaged in the struggle for human rights, and to victims and their families
- the sending of delegations to critical situations to express solidarity and to offer pastoral accompaniment to churches and people in crisis, and to investigate the nature and causes of massive human rights violations
- interventions with governments on behalf of threatened persons and groups
- facilitation of direct testimony in international forums, such as the UN Commission on Human Rights, by the victims of human rights violations

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26. Statement on the Politicization of Religion and Rights of Religious Minorities, International Affairs at the Tenth Assembly Statements, Minutes and Resolution, CCIA (Geneva: WCC, 2013), 10.

- contributions to the development of new international standards, showing the interrelationships between human rights, peace, and economic well-being and expanding the parameters of specific human rights protections to women, children, and Indigenous peoples, and to refugees, migrants, and internally displaced persons
- international advocacy by speaking out with or in support of churches in their prophetic role of critiquing the principalities and powers responsible for oppression, repression, and systematic violation of human rights
- the provision of training and sharing of expertise between regions on early warning and preventative measures on issues related to impunity, forgiveness, and reconciliation

During the past 75 years, since 1946, the ecumenical movement has, through its human rights work, confronted the realities and consequences of colonialism and racism, the brutal authoritarianism of national security regimes, the subsuming of human rights to national development objectives by national political elites, statelessness, and the imperatives of political loyalty generated by superpower rivalry and militarism. The threats to human dignity and human rights as well as various forms of political and economic dominance experienced by a vast number of people across the world have been major concerns of the churches as well as of the ecumenical movement as a whole. The churches and the ecumenical movement have learned many lessons during the period of human rights struggle.

A review of WCC's human rights work, analyzed after 50 years of its deep involvement, observed that

with the end of the Cold War, the context has changed radically, but it offered opportunities for greater international cooperation in defence of human rights, but it has also intensified injustice, exploitation, and inequality in most parts of the world. The global entrenchment of the economic, political, and military domination of particular elites threatens peoples everywhere.

The WCC has been continuing its mission of prophetic witness in response to the emerging human rights agenda. The ecumenical movement and the churches have significantly expanded their human rights agenda by stimulating a wide range of new issues which were not previously considered

enough in the field of human rights. The WCC has consistently enabled the churches to clearly incorporate the ecumenical policy on human rights.

Some of the most pertinent issues the WCC has introduced as part of the ecumenical agenda in terms of human rights have been the rights of women; the rights of uprooted people—refugees, migrants, and internally displaced persons; right to self-determination; rights of Indigenous people; elimination of all forms of discrimination; economic and social justice; torture; forced disappearances; extra-judicial executions and the death penalty; rights of the child; impunity; ecological rights; religious intolerance; and restrictions of religious freedom.

The WCC has enabled its member churches to offer their solidarity with peoples in addressing human rights. An increased need for the churches to attend the emerging human rights concerns has been a priority. The WCC has been consistent in its policy of alerting the churches that they must continue to hold the state accountable to the people for the protection and promotion of the human rights but at the same time seek to transform and strengthen the state in ways which would enable it to perform its legitimate role. In many situations, member churches were equipped and enabled to be involved in effective human rights advocacy, particularly to collaborate with new human rights alliances and other civil society movements in the interests of equipping society as a whole to respect and defend the rule of law and international human rights standards.

While being engaged in human rights advocacy at various levels, the WCC is firmly rooted in its conviction that the churches should be equipped to strengthen the human rights instruments in their local contexts as well as at the regional and intergovernmental institutional levels of which they are a part. To facilitate such roles, the WCC has been initiating training in human rights advocacy, UN mechanisms, human rights instruments, and resource mobilization for human rights work. The WCC has reiterated its conviction from time to time that international humanitarian law applicable in times of war, and other relevant instruments of international human rights law, should be scrupulously applied. Especially to be condemned are armaments like anti-personnel mines, which inflict cruel and inhuman injury, and the forced recruitment of children into military service. The assertion that crimes against humanity cannot go unanswered was repeatedly made by the WCC, especially in the context of experiences of genocide in Armenia, Rwanda, Cambodia, and elsewhere. In the 1980s, the WCC did ground-breaking work on the causes, dynamics, and effects of militarism, militarization, and

their impact on human rights. This work contributed significantly to the development of new international standards and is reflected in them.

The global review of ecumenical policy and practice on human rights, undertaken in 1994 at the request of the WCC central committee, brought churches in all the regions together in a process of study and reflection. The consultation has reviewed the results of regional meetings and finds that there is much to be celebrated in the work of the ecumenical movement in support of those engaged in the struggle for human rights. But it was also observed that a great deal remains to be done to secure more effective protections, particularly for disadvantaged, vulnerable, and minority groups.

There is a marked increase, in particular, in violations of social, economic, and cultural rights of peoples. This situation has worsened during the last decade as a result of the rapid globalization of economies. This, together with divisions and conflicts within societies as a result of growing ethnocentrism, religious extremism, and nationalism, has torn societies apart and has often led to wars and massive human rights violations.

The emerging global trends and human rights trends pose a serious challenge to the churches in the years ahead. To counter these forces of evil and darkness, churches must renew and reaffirm their common commitment to the core values that uphold human life and dignity. The affirmation at the WCC's 6th Assembly reminded us that "The biblical vision of peace with justice for all, of wholeness, of unity for all God's people is not one of several options for the followers of Christ. It is an imperative of our times."

More than 70 years of struggle to promote human rights have made the churches aware of their strengths but especially of their weaknesses. It has led them to realize that it is not enough to react to situations where human rights violations occur. The root causes of violations must be addressed. The WCC and its member churches must embody in their own structures, for the full range of human rights, participation, accountability, and democracy, the respect that they demand of others, reaffirming that all human rights are universal, indivisible, interdependent, and interrelated.

Widespread extreme poverty and growing social exclusion constitute violations of human dignity and continue to pose a serious challenge. Their alleviation and ultimate elimination must remain a priority for the churches, realizing that the root causes of these violations often lie in the unjust international order and in the incurring of huge military expenditures, which often lead to corruption of government officials and massive neglect of social

needs. This reminds us of the need to reaffirm the indivisible unity of human rights, democracy, and development.

During the past quarter of a century, new efforts were undertaken to promote and support education and training in human rights at regional, national, and local levels, including the strengthening of youth internship programmes and the recognition that education on human rights and dissemination of information are essential to the promotion of and respect for human rights. Special efforts were introduced to help in the implementation of established rights through the strengthening of civil society organizations and of national legislation and human rights institutions, including an independent judiciary committed to the rule of law. The WCC should continue to provide opportunities for churches to consider together priorities for work on human rights.

## Inscribed in the Hearts of the People: Unpacking the Intrinsic Authority of Human Rights

Heiner Bielefeldt

### Introduction

International human rights politics has seen serious setbacks in recent years. Expectations that the establishment of an International Criminal Court would end the culture of impunity worldwide have been largely unfulfilled. The Geneva-based UN Human Rights Council, established in 2006 as part of a modest institutional reform, continues to raise serious credibility issues. Attempts to enhance the efficiency of international human rights monitoring have brought only limited results. Worst of all, the nearly unanimous endorsement of the doctrine of Responsibility to Protect at the UN summit in 2005 has obviously failed to prevent atrocities in Syria, Yemen, Myanmar, Ukraine, and elsewhere.<sup>1</sup> While the crisis of multilateralism has generally weakened the still fragmentary infrastructure of international human rights protection, the very legitimacy of building such an infrastructure has also come under renewed pressure. Critics continue to attack the concept of universal human rights as a cover for the ongoing political, economic, and cultural hegemony of the West. Others paint the caricature of an anti-social individualism allegedly promoted by human rights. Old ideologies of absolute state sovereignty, which until recently were considered outdated, have re-emerged in aggressive ways.

The bitter lesson we had to learn, or relearn, in recent years is that progress in human rights politics cannot be taken for granted. Obviously, we cannot afford to leave human rights protection to well-meaning professionals who know how to administer international standards and institutions. For human rights to flourish and gain traction, they need the lasting commitment of many people who are convinced that it is worth making the effort. Hence, the time is ripe for mobilizing renewed political support. In the face of deliberate misperceptions, ideological distortions, and widespread fatalism,

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1. See UN Office of Genocide Prevention and the Responsibility to Protect, <https://www.un.org/en/genocideprevention/about-responsibility-to-protect.shtml>.

the first step must be to recapture a meaningful concept of human rights. This chapter contributes to this task by briefly discussing three crucial features of human rights: their intrinsic authority as “inalienable rights,” their relational features as facilitators of meaningful interaction, and the diversity-friendly understanding of universalism. The chapter concludes with a few general remarks.<sup>2</sup>

## Human Rights as “Inalienable Rights”

“Human rights are inscribed in the hearts of people; they were there long before lawmakers drafted their first proclamation.”<sup>3</sup> When expressing this statement, former UN High Commissioner for Human Rights Mary Robinson did not wish to question the significance of legally binding instruments of international human rights protection. Human rights need a functioning legal infrastructure to gain political traction and to achieve effectiveness. Rather, Robinson’s point is that such law-making comes second. Prior to any acts of legislative and juridical standard setting, human rights claim an *intrinsic authority*. There is something inherently compelling in the idea of equal dignity and equal rights for all human beings across regional, political, and cultural boundaries.

To stress the intrinsic authority of human rights, prior to any acts of law-making, is the best antidote to old and new concepts of absolute state sovereignty, which are currently on the rise. Even authoritarian regimes may find it useful to endorse human rights in theory, as long as they have broad leeway to define what this means in practice. In the view of autocratic governments, human rights norms may be just another product of their own sovereign legislative decisions, which therefore should fully remain in the grip of their sovereign interpretative power. It is against such proclaimed primacy of the sovereign state that the insistence on an *intrinsic* authority of human rights unfolds its political significance. The important point is that human rights must not end up as mere tools employed in diplomatic games; nor should respect for basic rights depend upon the goodwill of those in power.

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2. For a more detailed and more systematic discussion of these themes, see Heiner Bielefeldt, *Sources of Solidarity: A Short Introduction to the Foundations of Human Rights* (Boca Raton: Florida Atlantic University Press, 2022). Also available in Open Access: DOI:10.25593/978-3-96147-512-4. The following text is in parts based on chapters 1, 3, and 4 of that book.

3. Cited from [https://www.amnesty.ie/wp-content/uploads/2016/09/Chapter\\_01.pdf](https://www.amnesty.ie/wp-content/uploads/2016/09/Chapter_01.pdf).

It is noteworthy that international human rights documents *expressis verbis* testify to the priority of an intrinsic authority, upon which they themselves are based. The preamble of the 1948 Universal Declaration of Human Rights begins with “recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family.” Remarkably, the first word in this opening sentence of the first-ever international human rights document is “recognition.” Moreover, the preamble confirms that such recognition is due to human beings because of their “inherent dignity.” The adjective “inherent” indicates that the whole project of establishing international human rights rests on the understanding that there is something inherent in human beings that commands respect. In other words, it is not through the enactment of positive human rights standards that people can lay claim to respect of their dignity. It is the other way around, in that the recognition of an inherent dignity provides the precondition for this whole process of international law-giving to make any sense at all.

The concept of human dignity constitutes the ethical nucleus of human rights. At the same time, the idea of an inherent dignity of all humans resonates profoundly in various religious, philosophical, and cultural traditions. For example, the Bible ascribes an elevated rank to all human beings, owing to man’s and woman’s creation “in the image and likeness of God” (Gen. 1:27). In Psalm 8, the singer admires the sublime beauty of the night sky, which makes him aware simultaneously of his frailty and his divine calling within the order of the creation. He turns to God, wondering, “What is man that you are mindful of him, and the son of Adam that you care for him!” (Ps. 8:5). Religious notions and metaphors, Jeremy Waldron writes, “convey a profound sense of the sanctity of the human person—each of us unimaginably and incomparably sacred because of this relation to the Most Holy.”<sup>4</sup>

International human rights documents, starting with the Universal Declaration, cautiously and consistently avoid any direct religious references. Proposals made by some governments during the deliberations on the draft of the Universal Declaration to strengthen the authority of human rights by inserting a religious source remained unsuccessful. A clear majority of representatives endorsed the counter-argument that the invocation of a particular religious semantic would be inappropriate in a pluralistic world.<sup>5</sup>

4. Jeremy Waldron, *One Another’s Equal: The Basis of Human Equality* (Cambridge: Harvard University Press, 2017), 196.

5. See UN Doc. A/C.3/SR.96-99, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/NL4/804/30/PDF/NL480430.pdf?OpenElement>.



Hence, the language of the Universal Declaration, and of the various human rights conventions enacted in its wake, remains thoroughly secular. This does not preclude the possibility for faith communities to appreciate human rights as a gift of God, a divine endowment, or to use other religious concepts and metaphors. The secular language of human rights is not polemical against religion.<sup>6</sup> Rather, its purpose is to keep the space open for a broad variety of ways in which people—believers as well as non-believers—may try to make sense of the intrinsic authority of human rights.<sup>7</sup> There is no need to find an interreligious or cross-cultural consensus about what in theory constitutes the ultimate source of that authority—as long as we have a sufficiently broad agreement on the status and significance of human rights in practice.

Human rights are not just another set of legal tools, norms, regulations, or entitlements. Intimately connected to the conundrum of human dignity, they enjoy the elevated rank of “inalienable rights,” which all human beings possess simply because they are human. The preamble of the Universal Declaration links the “inherent dignity” of all members of the human family to their “equal and inalienable rights.” By qualifying human rights as “inalienable” rights, the preamble underlines their peculiar authority high above their pragmatic usefulness as legal instruments. Inalienable rights can be neither bought nor sold, nor can they be enhanced or forfeited. They are connected to the humanness of each and every human person.

In their declaration on the philosophy of human rights, the World Youth Alliance recently confirmed the central role of human dignity:

Human beings have intrinsic dignity. This intrinsic dignity does not depend on any circumstance, stage of development, or potential, and no human community can grant or rescind it. Thus, human beings must always be treated as an end and never used solely as a means. All human persons share this common dignity and as such are called to live in solidarity with each other.<sup>8</sup>

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6. See Heiner Bielefeldt and Michael Wiener, *Religious Freedom under Scrutiny* (Philadelphia: University of Pennsylvania Press, 2020), 209–20.

7. Religious references from different traditions are included in the 2017 Beirut Declaration to support 18 commitments on “Faith for Rights,” <https://www.ohchr.org/en/issues/freedomreligion/pages/faithforrights.aspx>. See also the related toolkit for peer-to-peer learning exercises: <https://www.ohchr.org/en/faith-for-rights/faith4rights-toolkit>.

8. See World Youth Alliance, Declaration on the Philosophy of Human Rights <https://www.wya.net/publications/declarations/philosophy-of-human-rights>.

Human dignity is the common denominator running through all the specific provisions and entitlements. Accordingly, any serious violation of human rights is at the same time an offence to human dignity.

To treat a fellow human as a mere commodity, which could be trafficked, sold, and exploited, is in total breach of the basic respect that human beings owe each other. The same is true for acts of torture, which reduce the victim to a helpless bundle of pain and shame. Policies of state censorship employed to stifle public debate, to deprive people of their freedom to communicate with each other openly and on an equal footing, also offends their human dignity. Forced evictions violate the dignity of those who end up living unprotected in the streets. Racist ideologies, which depersonalize the person by reducing them to just an exemplar of an allegedly inferior group, are a slap in the face of our common humanity and thus are incompatible with human dignity. The various human rights provisions—civil, political, economic, social, and cultural rights—have evolved and will further develop in protest against such manifestations of disrespect of human dignity. This accounts for their specific authority of inalienable rights, which we cannot ignore without betraying our common humanity. As Nelson Mandela has put it, “To deny people their human rights is to challenge their very humanity.”<sup>9</sup>

## Human Rights as Relational Rights

Every individual person is entitled to enjoy respect for their dignity and rights. This focus on individuals as rights holders has become a source of much confusion. Critics from different political or ideological camps have attacked human rights as allegedly promoting a particular individualistic way of life. Karl Marx was one of the first to strike this chord. “None of the so-called rights of man,” he writes, “go beyond egoistic man . . . that is, an individual withdrawn into himself, into the confines of his private interests and private caprice and separated from the community.”<sup>10</sup> According to Marx, the freedom propagated in the 1789 Declaration of the Rights of Man and the Citizen “is based not on the association of man with man, but on the separation of man from man. It is the *right* of this separation, the right of the restricted individual, withdrawn into himself.”<sup>11</sup>

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9. Address by Nelson Mandela to the Joint Session of the House of Congress, Washington DC - United States, 26 June 1990, [http://www.mandela.gov.za/mandela\\_speeches/1990/900626\\_usa.htm](http://www.mandela.gov.za/mandela_speeches/1990/900626_usa.htm).

10. Karl Marx, “On the Jewish Question” (originally published in 1844), <https://www.marxists.org/archive/marx/works/1844/jewish-question>.

11. Marx, “Jewish Question” (emphasis in the original).

Conservative critics have similarly castigated the allegedly one-sided focus on rights of the individual. For right-wing legal philosopher Carl Schmitt, individual rights are part and parcel of a bourgeois ideology, which aims “with great precision at subjugating state and politics, partially into an individualistic domain of private law and morality, partially into economic notions. In doing so they deprive state and politics of their specific meaning.”<sup>12</sup> One of the contemporary critics is Saba Mahmood, who contends that human rights are generally “apathetic to communal aspirations.”<sup>13</sup> It would be easy to further expand the list of critics from different political or ideological camps who have based their objections to human rights on the charge of individualism and a concomitant erosion of community values.

While it is true that respect for human dignity and rights is due to each and every individual, however, human rights are not individualistic in the sense of promoting egoism and self-isolation, as Marx, Schmitt, and other critics seem to assume. Confusing rights held by individuals with an individualistic way of life has become the source of countless misunderstandings. In fact, human rights are typically exercised together with others. One of the most striking examples is the freedom to peaceful assembly.<sup>14</sup> Although it is a right held by each individual person, who should be free to decide whether to join a public assembly, the general purpose is to allow people to overcome isolation. To participate in a political demonstration can be an intense experience of solidarity.

Another example is freedom of association,<sup>15</sup> which facilitates the establishment of organizations through which people pursue common interests in a more sustainable manner. Freedom of religion or belief is yet another case in question. Among other things, it protects manifestations of religion or belief “in worship, observance, practice and teaching,” which may be exercised “either individually or in community with others and in public or private.”<sup>16</sup> Freedom of expression,<sup>17</sup> too, has important relational features; it is an indispensable precondition of any flourishing discursive

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12. Carl Schmitt, *The Concept of the Political*, trans. George Schwab (2nd edition of 1932) (Chicago: University of Chicago Press, 1996), 72.

13. Saba Mahmood, *Religious Difference in a Secular Age: A Minority Report* (Princeton: Princeton University Press, 2016), 51.

14. Enshrined in Article 21 of the ICCPR.

15. Likewise enshrined in Article 21 of the ICCPR.

16. Article 18, paragraph 1, of the ICCPR.

17. Enshrined in Article 19 of the ICCPR.

democracy. At first glance, habeas corpus rights<sup>18</sup> may seem to be a less clear case. However, their main purpose is to prevent an incommunicado situation, where a detainee is deprived of any contact with the external world.

Human rights are relational rights in that they both presuppose and foster manifold human relations in society. Accordingly, human rights are neither individualistic in the narrow sense nor apathetic to communal aspirations, as critics want us to believe. Instead, their purpose is to empower people to overcome coercive practices, authoritarian structures, and power asymmetries, wherever they exist. The unqualified semantics of “individualism” overshadows the fact that human rights are essentially anti-authoritarian, not anti-communitarian. By challenging various forms of authoritarianism in politics, economy, religion, or family life, human rights can become a positive factor of community reforms. They can contribute to transforming autocratic regimes into democracies based on the rule of law; they help broaden the space for public critical discourse; they play a crucial role in reshaping the understanding of marriage and family life by demanding full respect for women’s rights in the domestic sphere; they back up the development of trade unions, political associations, and civil society organizations; they support children in their rights to education and participation in public life; and they serve as normative reference for the full inclusion of persons with disabilities in an evolving barrier-free society.

Authoritarianism is a multifaceted phenomenon. It often comes in the shape of collective units, which subjugate individuals to the primacy of alleged community interests without giving them sufficient breathing space to voice their independent views and state their own interests. Yet authoritarianism also manifests itself in forms of involuntary exclusion *from* the society and community. In a climate of fear created by control-obsessed autocratic regimes, dissidents typically face huge obstacles when wishing to meet, communicate, and establish independent political associations. In an authoritarian society, people with a critical mindset may feel isolated—even more so when sharing one’s views in private conversations incurs unpredictable risks. To be forced to participate in collective parades, where everyone has to march in the same direction and shout the same empty slogans, merely exacerbates feelings of loneliness, isolation, and despair.

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18. Enshrined in Article 9 of the ICCPR.

In the face of various forms of involuntary isolation, human rights facilitate joint activities and practices, such as holding public demonstrations, establishing political parties or trade unions, cherishing a pluralistic discourse community, appreciating diverse forms of partnership and family, or creating adequate conditions for religious minorities to develop an appropriate communitarian infrastructure. By empowering individuals within those various communities, human rights contribute to building more dynamic and lively communities based on partnership, respect, and an appreciation of diverse viewpoints. The “restricted individual, withdrawn into himself,” which Marx ascribes to human rights, is the typical upshot of political authoritarianism; it is not the result of human rights but follows from a lack of respect for human rights.

## Human Rights as Universal Rights

Human rights are universal rights. This follows from the foundational significance of respect for human dignity, which is due to each and every human being. Article 1 of the Universal Declaration famously professes: “*All human beings* are born free and equal in dignity and rights.”<sup>19</sup> Most of the specific human rights provisions start with the word “everyone,” thus corroborating the claim to universal applicability: “Everyone has the right to life, liberty and security of person.” “Everyone has the right to freedom of opinion and expression.” “Everyone has the right to education.” When it comes to the prohibitions of torture, slavery, or enforced disappearance, the “everyone” gives way to an apodictic “no one,” which is no less universalistic. This structure runs through the various human rights documents enacted in the wake of the Universal Declaration.

Comparable to the misperceptions caused by an unqualified semantics of individualism, the universal nature of human rights, too, has been exposed to misperceptions and conceptual distortions. Critics from various political camps have confused universalism with uniformity, such as the long-term purpose of creating a uniform world society. In spite of polemical attacks against what one critic has termed “the one-size-fits-all universalism of Human Rights,”<sup>20</sup> the universalism inherent in the very idea of human rights is diversity-friendly. Human rights, like freedom of conscience, freedom of religion, freedom of expression, freedom of assembly, freedom of association, and others, serve as

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19. Emphasis added.

20. Stephen Hopgood, *The Endtimes of Human Rights* (Ithaca: Cornell University Press, 2013), 2.

the very antidote to ideologies of uniformity. They empower people to pursue their diverse life plans, to express their various political opinions, to manifest their different faith-related convictions and communitarian practices, to maintain and cherish particular cultural traditions, to establish different political parties or independent trade unions—always in conjunction with respect for the rights of others. As the 2001 Durban World Conference on Racism put it, “all peoples and individuals constitute one family, rich in diversity.”<sup>21</sup>

The acknowledgement of diversity, however, carries with it one important caveat, namely, the insistence on its free articulation. From the perspective of human rights, one can merely recognize freely and broadly articulated manifestations of cultural, religious, political, or other diversity. Without this caveat, the invocation of diversity or pluralism could hypothetically justify policies of forced segregation or other repressive ideologies. To be sure, human rights do recognize an inexhaustible diversity—but always on the condition that such diversity can be articulated freely and broadly. They do accept the reality of different collective identities—but on condition that there is space for internal diversity, too. They do appreciate difference, even radical difference—but they cannot recognize a “mute otherness,” which is often just an ideological pretext for internal repression. Hegemonic or monopolized interpretations of collective identity, which refuse to accommodate internal dissent, criticism, and open discussion, are always suspicious from a human rights perspective. This caveat is indispensable.

While it seems necessary to reject conceptual distortions and the various caricatures which some critics have drawn, criticism of human rights continues to play an important role. It should not disappear. Human rights have always been and will remain, an evolving concept, not least in response to criticism coming from different angles. Changes include reformulations and ever-new adaptations of their universalistic aspirations. The language of universalism has often been utilized as an ideological tool to justify particular status positions and privileges. Notwithstanding their universalistic semantics, classical human rights documents frequently assumed that the imagined rights holder had a particular sex (male), a particular skin colour (white), and a particular social status (property owner). Unquestioned assumptions concerning religious or educational backgrounds likewise made it into historical human rights

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21. Durban Declaration and Programme of Action: Outcome document of the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance, [https://www.ohchr.org/Documents/Publications/Durban\\_text\\_en.pdf](https://www.ohchr.org/Documents/Publications/Durban_text_en.pdf).

documents. Until a few decades ago, experiences of persons with disabilities by and large remained outside of human rights debates. To say it with a grain of salt, the history of human rights is, among other things, a history of biases, blind spots, and inconsistencies. It would be naïve to assume that this is a matter of the past only—hence the need to remain vigilant and self-critical.

However, the history of human rights is also a history of uncovering such biases and tackling blind spots, with the purpose of achieving more credible and consistent reformulations of human rights. Women's rights activists have contributed to broadening the human rights discourse when addressing violations occurring in the private sphere, which previously had largely been outside of critical monitoring. Persons with disabilities have brought to the fore their experiences of exclusion and created a convention dedicated to the long-term purpose of a barrier-free society. Recent non-discrimination clauses also include sexual orientation and gender identity within the lists of prohibited grounds of unequal treatment. Indigenous peoples have received systematic attention in human rights debates. This list of examples is non-exhaustive.

Nevertheless, it is true that any formulation of universal human rights will inevitably carry particularistic indexes of time, space, and other contingencies. Concepts like dignity, freedom, empowerment, egalitarianism, or liberation will never be entirely free from particular historical legacies. The legal and political techniques of international standard setting likewise have their contextual path-dependencies. However, universal human rights neither require nor postulate an absolute vantage point high above the messiness of human life. Rather, a critically reconstructed normative universalism can only be a “universalism from within”—or as Linda Hogan has put it, “an embedded universalism.”<sup>22</sup>

Universal human rights always unfold their critical transformative force within the particular contingencies of human life. They contribute to broadening contextual options; they enhance the prospects for voicing criticism within as well as across political and cultural boundaries; they empower people to challenge traditional roles and expectations, such as gender-related stereotypes; they help open previously hermetic borders and facilitate meaningful exchanges. This is not just a theoretical postulate. It happens when people protest against corruption of the local mafia, when employees insist

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22. Linda Hogan, *Keeping Faith with Human Rights* (Washington, DC: Georgetown University Press, 2015), 112.

on establishing an independent trade union, when an Indigenous community defends its holy sites against the interests of the extractive industry, when people with hearing impairments demand a broader availability of sign language in daily life, when religious charity organizations support refugees in spite of popular resentments. At the same time, contextual experiences of injustice can become motives for redefining human rights and enhancing their responsiveness to new challenges. Hence, the universalism underneath human rights will always remain work in progress—or a universalism on probation.

### **Concluding Remarks**

Human rights rest upon our common humanity: the dignity we all share as human beings. The awareness of human dignity can motivate people to take action in solidarity. The good thing is that this foundational idea of human rights is easy to comprehend. It unfolds its appealing force far beyond the limited circles of experts. It is no less a matter of the heart than a matter of the mind, as Mary Robinson has reminded us. Hence, it may be good to reiterate her message that “Human rights are inscribed in the hearts of people; they were there long before lawmakers drafted their first proclamation.”





## Religion and Human Rights: From Conversion to Convergence

Ibrahim Salama and Michael Wiener \*

Religion is a cross-cutting, powerful element of the nexus of culture, values, and identity. A human rights–based approach to religion that recognizes freedom of religion or belief and its equal standing and interdependence with other rights is the best guarantee against Samuel Huntington’s thesis of a “clash of civilizations.”<sup>2</sup> Numerous recent initiatives are forging a rights-based vision to manage the diversity of our increasingly multicultural and multireligious societies. Such a vision requires an active and enlightened participation of faith-based actors: participation not only as preachers but also as practical problem-solvers. Human rights, including freedom of religion or belief, are precious sources of diversity and wisdom that should remain renewable to fit new challenges. This provides the best shield to preserve our diversity, as human rights are the neutral catalyst that equally cuts across cultures, values, and identities. The other way round is equally true; rights-based secularism is the best guarantee for freedom of religion or belief.

The triple mantra of indivisibility, interdependence, and equal emphasis on all human rights is harder to achieve in practice than reiterating it in declarations and resolutions. In the real world, rights-holders and their supportive constituencies compete for attention, protection, and resources, both at the national and international levels. This is a normal and healthy political fact, as long as optimal implementation of all human rights is ultimately achieved. No fair compromise is possible in this context because the indivisibility of all human rights should never be compromised. The tensions between rights and competition among their respective advocates reflect themselves on the multilateral agenda. The essence of human rights diplomacy is to analyze, reconcile, and, if needed, arbitrate between rights

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\* The views expressed in this article are those of the co-authors and do not necessarily reflect the views of the United Nations.

2. Samuel P. Huntington, *The Clash of Civilizations and the Remaking of World Order* (New York: Simon & Schuster, 1996).

holders and conflicting rights. This is what makes human rights also political, this time in the noble sense of the term.

Equal emphasis on “orphaned”<sup>3</sup> rights, such as religious freedom, cultural rights, and minority rights, is an important objective that international human rights mechanisms strive to achieve. A successful, balanced approach to all human rights at the national and regional levels would optimize their practical implementation. This would also reduce politicization and shield the full spectrum of human rights from recurrent pushback in various forms in different regions. The orphaned rights are the richest in terms of diversity, which makes them more difficult to manage. We can never overemphasize the oft-forgotten fact that diversity is an underlying foundation of human rights simply because human beings are all different and since “all human beings are born free and equal in dignity and rights.”<sup>4</sup> All of them, not only those who share particular values with which we sympathize more because of whatever reason. Furthermore, there should be no hierarchy of values under the cover of conflict of rights.

Treating only the symptoms does not accelerate recovery. Digging below legal formalism and stereotypical mantras requires acting strategically to prioritize education and heed the following four conclusions of the ReligioWest research project: (1) treating freedom of religion on equal footing with other rights; (2) maintaining the separation between state and religion; (3) understanding religion as an autonomous sphere, independently from cultures, values, and identities; and (4) looking at human rights as truly universal, rather than European.<sup>5</sup>

Human rights mechanisms contribute meaningfully to reconciling religion and human rights, as they also challenge religious interpretations that manifestly contradict universal human rights norms. One of the most flagrant recent cases is the situation of women in Afghanistan under Taliban rule in the name of Islamic law. The UN Special Rapporteur on violence against women, Reem Alsalem, stressed in August 2021 that any party in

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3. See Mary Ann Glendon, “Is Religious Freedom an ‘Orphaned’ Right?” in *The Changing Nature of Religious Rights under International Law*, ed. Malcolm D. Evans, Peter Petkoff, and Julian Rivers (Oxford: Oxford University Press, 2015), 1–8.

4. <https://www.un.org/en/about-us/universal-declaration-of-human-rights>, Article 1.

5. Olivier Roy (Principal Investigator), *Rethinking the Place of Religion in European Secularized Societies: The Need for More Open Societies—Conclusions of the Research Project ReligioWest* (Italy: European University Institute, Robert Schuman Centre for Advanced Studies, 2016), 9–10.

Afghanistan declaring that it follows Islamic Sharia must uphold and protect the rights of women and girls. She based her arguments explicitly on Sharia's "true values, principles, and objectives," citing several verses of the Qur'an to support her points on the inherent dignity of all humans, the equality of men and women, the duty to uphold justice, and the requirement to protect oppressed groups.<sup>6</sup>

It is therefore of strategic importance that human rights mechanisms continue building up their knowledge and tools to effectively address human rights abuses related to, or in the name of, religion. Denouncing the evidently despicable is not enough. Human rights-based guidance for policy measures, jurisprudence, legislation, and education are the most efficient and sustainable answer. This knowledge has been accumulated progressively through various encounters and engagement by human rights mechanisms in different regions and on various topics where religion is relevant. These initially ad hoc experiences have started gaining intentionality to optimize the normative clarity gained thanks to soft law instruments. Concrete examples include the broad definition of "religion or belief" by the UN Human Rights Committee in its general comment no. 22 (1993),<sup>7</sup> CESCR's reference to the responsibilities of religious bodies in relation to the effective implementation of the right of everyone to take part in cultural life (2009),<sup>8</sup> as well as the reminder in the Rabat Plan of Action (2012) that freedom of religion or belief "does not include the right to have a religion or a belief that is free from criticism or ridicule."<sup>9</sup> The latter point was also stressed by five special rapporteurs in 2021, who warned states against reviving "the dangerous notion of 'defamation of religions' and the divisive debate that had undercut

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6. "Any Party in Afghanistan Declaring It Follows Islamic Sharia Must uphold and Protect the Rights of Women and Girls, United Nations Human Rights Office of the High Commissioner, 24 Augustus 2021, <https://www.ohchr.org/en/statements/2021/08/any-party-afghanistan-declaring-it-follows-islamic-sharia-must-uphold-and?LangID=E&NewsID=27402>.

7. Human Rights Committee, *General comment no. 22 on Article 18 of the International Covenant on Civil and Political Rights* (1993), para. 2, <https://undocs.org/CCPR/C/21/Rev.1/Add.4>.

8. Committee on Economic, Social and Cultural Rights, *General comment No. 21: Right of Everyone to Take Part in Cultural Life* (November 2009), para. 73, <https://undocs.org/E/C.12/GC/21>.

9. Office of the High Commissioner for Human Rights, *Rabat Plan of Action on the Prohibition of Advocacy of National, Racial or Religious Hatred that Constitutes Incitement to Discrimination, Hostility or Violence* (11 January 2013), appendix, para. 19, <https://undocs.org/A/HRC/22/17/Add.4>.

efforts to combat religious discrimination and intolerance prior to achieving this consensus agreement 10 years ago,”<sup>10</sup> that is, Human Rights Council Resolution 16/18.

Human rights mechanisms emphasize an equally important element, which is the need for states to engage religious actors in human rights dialogues related to their areas of work. States’ practices indicate increasing willingness to conduct such national debates in an inclusive manner. This was, for example, the case of Nigeria when in 2017 it accepted a recommendation by the Committee on the Elimination of Discrimination against Women inviting the government to “include religious leaders in the process of addressing issues of faith and human rights, so as to build on several ‘faith for rights’ initiatives and identify common ground among all religions in the State party, as acknowledged by the delegation.”<sup>11</sup> Concrete follow-up discussions have been taking place through several peer-to-peer learning discussions among civil servants, academics and OHCHR staff, organized at Bauchi State University by the Oslo Coalition on Freedom of Religion or Belief in 2020 and 2021.

It is also key to capture results and recommendations from such peer-to-peer learning events. As highlighted by High Commissioner Michelle Bachelet, “this implies listening to each other, sharing experiences of what works and what doesn’t, and responding jointly to needs at the grassroots level.”<sup>12</sup> One example is the snapshots of learning points emerging from a series of monthly webinars on the role and experiences of faith actors in promoting gender equality, addressing hate speech, safeguarding religious sites, protecting religious or belief minorities, preventing atrocity crimes, and moderation of religious discourse.<sup>13</sup> Organized by OHCHR, the Office of

10. Ahmed Shaheed, Irene Khan, Fernand de Varennes, Clément Nyaletsossi Voule, and Fionnuala Ní Aoláin, “Historic Consensus on Freedoms of Religion and Expression at Risk, Say UN Experts” United Nations website, 23 March 2021, <https://www.ohchr.org/en/press-releases/2021/03/historic-consensus-freedoms-religion-and-expression-risk-say-un-experts>.

11. Convention on the Elimination of All Forms of Discrimination against Women, <https://undocs.org/CEDAW/C/NGA/CO/7-8>, para. 12.

12. Michelle Bachelet, “Side Event: Global Pledge for Action by Religious Actors and Faith-Based Organizations to Address the COVID-19 Pandemic in Collaboration with the United Nations,” United Nations website, 7 July 2021, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27279&LangID=E>

13. United Nations Alliance of Civilizations, UN Office on Genocide Prevention and the Responsibility to Protect and Office of the High Commissioner for Human Rights, “Global Pledge for Action by Religious Actors and Faith-Based Organizations to Address the COVID-19 Pandemic in Collaboration with the United Nations: Peer-to-peer Learning

the Special Advisor on the Prevention of Genocide, and the UN Alliance of Civilizations, this series of webinars was designed in a bottom-up peer-to-peer learning mode between grassroots faith-based organizations and human rights experts during the COVID-19 pandemic. It culminated in a virtual event in July 2021 at the High-level Political Forum on Sustainable Development, during which the High Commissioner stressed that we will only “build back better” from the pandemic when human rights, and human rights bodies, are at the heart of the recovery.<sup>14</sup>

The important link between human rights mechanisms and the Sustainable Development Goals (SDGs) was also highlighted in the UN Secretary-General’s Call to Action for Human Rights, which encourages the full use of “the Universal Periodic Review, the human rights treaty bodies and the special procedures, as well as national human rights institutions to contribute to SDG implementation, particularly at the national and local levels.”<sup>15</sup> Furthermore, at the G20 Interfaith Forum in September 2021, High Commissioner Michelle Bachelet stressed that “thematic forums—such as our Forum on Minority Issues, our Social Forum and many others—can contribute to widening civic space, promoting mutual understanding and enriching governmental deliberations with grass-roots contributions.”<sup>16</sup>

For such engagement with faith-based actors, freedom of religion or belief constitutes a natural entry point within human rights law and practice. Yet, freedom of religion or belief should not be seen merely as a protective shell for religions but rather as a source of defending human dignity also from the perspectives of faith for human rights and faith in human rights. Freedom of religion or belief is also a starter for an equally missing wider angle of a human rights-based approach to faith. It is strategically promising that the principle of human rights responsibilities of non-state faith actors is gaining increasing adherence from faith actors themselves. Their daily engagement with social issues made them realize the convergence toward common desirable changes to create inclusive, peaceful, and equal societies.

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Snapshots and Recommendations (July 2021), <https://www.ohchr.org/Documents/Issues/Religion/GlobalPledgeRecommendations.pdf>

14. Bachelet, “Side Event.”

15. António Guterres, *The Highest Aspiration: A Call to Action for Human Rights* (2020), 5, [https://www.un.org/sg/sites/www.un.org.sg/files/atoms/files/The\\_Highest\\_Aspiration\\_A\\_Call\\_To\\_Action\\_For\\_Human\\_Right\\_English.pdf](https://www.un.org/sg/sites/www.un.org.sg/files/atoms/files/The_Highest_Aspiration_A_Call_To_Action_For_Human_Right_English.pdf)

16. Michelle Bachelet, “G20 Interfaith Forum ‘Time to Heal: Peace Among Cultures, Understanding Between Religions,’” UN website (11 September 2021), <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27442&LangID=E>.

Neither of the two communities of religion and rights needs to attempt converting the other one to its own premises. Instead, the two communities should collaborate by seeking practical synergies and convergence of results, whenever common grounds allow for it.

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## The Evolution of International Human Rights Protection Instruments: How Indivisibly and Universally Are Human Rights Implemented Around the World

Michael Windfuhr

What is the impact of human rights: how significant are the central human rights provisions and treaties, the institutions of the human rights protection system, and the human rights movement in view of the not insignificant current challenges? At the end of the Cold War, it initially looked as if the challenges against human rights and democracy had been overcome and that solutions to global problems were achievable through a multilateral, rule-based order in which human rights could be the cornerstone. This assessment can and would no longer be formulated in a similar way today, taking into consideration the growing authoritarian challenges in many countries, the sharply rising global inequality, and the threatening ecological trends. Where do we stand, then? What is the significance of human rights treaties, institutions, and movements today? This question will be explored in this chapter. The answer is—perhaps surprisingly—cautiously optimistic.

In June 1993, the Second International Conference on Human Rights took place in Vienna, which was to become a landmark event for the last three decades of human rights work and the development of the international human rights protection system. The Vienna Conference—organized shortly after the end of the Cold War—achieved three major advances in the implementation of human rights: first, it was agreed that human rights are universal, applying to every person in the world. Second, the canon of human rights was defined as indivisible, that is, it encompasses all human rights: civil and political human rights, as well as economic, social, and cultural human rights. The Vienna Conference asked strongly for the protection and the implementation of all human rights because the dignity of every human being requires the realization of all of them. Third, the Vienna Conference provided an impetus for improving and expanding the national and international human rights protection system.

How has the human rights protection system evolved since then? Is it adequately resolute or robust for the implementation of human rights worldwide? The current challenges to the system for the protection and promotion of human rights are large. The number of authoritarian regimes is growing; the scope for action by civil society organizations is being restricted in many countries; the dimension of global problems is enormous, especially in the ecological sphere, in climate change and the protection of biodiversity; and economically huge transformation processes of the economy lie ahead, from an exploitive system of human beings and the ecosystems to a sustainable economy. These trends challenge the full realization of many human rights, including, as an example, the right to an adequate standard of living, the realization of which is influenced by rising sea levels, an increase in extreme weather events, changes in the framework conditions of agriculture and in the availability of water. The number of hungry people is already increasing. The Sustainable Development Goals (SDGs), which were jointly formulated and adopted in 2015—in parallel with the Paris Climate Agreement—are hardly achievable. As an example, where SDG 2 asked for an end to hunger by 2030, the trend is in the opposite direction.<sup>1</sup> It is relevant for several of these goals, such as the reduction of extreme poverty, the preservation of biodiversity, and the combatting of climate change, that they are hardly likely to be achieved in the remaining eight years. In 2020 to 2022, the handling of the pandemic has made it clear that global justice issues, such as access to vaccines regarding the right to health have hardly been adequately resolved, and the war in Ukraine changed the prioritization and allocation of resources—be it material resources for weapons and humanitarian support or political resources such as political attention and priority setting.

In view of these challenges, what can an appropriate human rights response look like and how can the existing instruments be strengthened and further developed? What role do human rights play in the search for solutions, since solutions to the problems often have to be sought in other policy areas as well? After looking back to give an overview of the strengths and weaknesses

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1. The COVID-19 pandemic is contributing to increasing hunger. The number of people suffering from hunger has increased by approximately 100 million to between 720 and 811 million since 2019. See FAO, IFAD, UNICEF, WFP and WHO, *The State of Food Security and Nutrition in the World 2021: Transforming Food Systems for Food Security, Improved Nutrition, and Affordable Diets for All* (Rome: FAO, 2021), <https://www.fao.org/documents/card/en/c/cb4474en>. The current food price trends after the start of the war against Ukraine will exacerbate this food insecurity.

of the existing human rights system, we will consider whether the system is responding adequately to the challenges mentioned and which innovations and further developments would be necessary to improve it.

## **The Development of the Human Rights Protection System Since 1993**

Why were these advances of the Vienna Human Rights Conference so important? Because they responded to central challenges for human rights, and the conference was able to formulate a common answer.

First, it was reaffirmed, as formulated when the Universal Declaration of Human Rights (UDHR) was drawn up in 1948, that human rights apply universally. That is, they are the frame of the international legal order worldwide, even in view of different cultural backgrounds and traditions: the Vienna Declaration is characterized by the recognition of the dignity of every person worldwide.<sup>2</sup> When the UDHR was formulated in 1948, the number of participating states in the United Nations was considerably lower than today: 56 states voted in the adoption of United Nations Resolution 217. The process of decolonization had not yet taken place; the current number of UN members, which is over 190, came about as a result of the independence of many states from the 1950s onward. Again and again, this low number of states was used as an argument to deny the legitimacy of the UDHR as Western or coming from the global North. David Kennedy even spoke of a “tainted origin.”<sup>3</sup> Authors such as Hans Joas have conclusively refuted this as already not true when the declaration was drafted in the United Nations Commission on Human Rights and have described the context and the people involved, who came from very different cultural areas. He showed that this is not a document that can be assessed as “biased.”<sup>4</sup>

The reaffirmation of universality in Vienna in 1993 now included all new member states of the United Nations. The two central human rights treaties—the Covenant on Civil and Political Rights and the International

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2. “The Vienna Declaration and Programme of Action,” <https://www.ohchr.org/sites/default/files/vienna.pdf>.

3. David Kennedy rejects the term “tainted origin.” David Kennedy, “The International Human Rights Movement: Part of the Problem?” *Harvard Human Rights Journal* 15 (2012), 101–25, at 114, <https://harvardhrj.com/wp-content/uploads/sites/14/2020/06/15HHRJ101-Kennedy.pdf>.

4. Hans Joas, *Die Sakralität der Person. Eine neue Genealogie der Menschenrechte* (Frankfurt a.M.: Suhrkamp, 2011).

Covenant on Economic, Social and Cultural Rights—now have more than 170 ratifications, and some of the other human rights conventions, such as the Convention on the Rights of the Child, have now been signed by almost all states, which is close to universal ratification.

Central to the recognition of the universality of the Vienna Human Rights Conference was the special focus and affirmation of the human rights of women and girls. An impressive tribunal on women's rights was held at the parallel NGO Forum. It became clear that many violations of women's rights take place in the private sphere of families and that the issue of violence against women needs to be addressed. The final text of the Vienna Conference states: "The human rights of women and girls are an inalienable, integral and indivisible part of universal human rights."<sup>5</sup>

Second, in addition to the universality of human rights, the indivisibility of human rights was affirmed in Vienna. The protection of human dignity also includes the protection and implementation of economic, social, and cultural human rights, and the freedom from want, where the rights to housing, health, and education are important core areas. Already in the aftermath of the formulation of the UDHR, it was no longer possible to develop one common human rights treaty that included all the rights contained in the UDHR, due to the emerging Cold War. It took a long time until the two central human rights conventions were developed instead. Both have been in force since 1976: the International Covenant on Civil and Political Human Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Human Rights (ICESCR). The onset of the Cold War made it increasingly difficult to talk about human rights in their entirety, with the West accusing the East of violations of civil and political human rights and the East accusing the West of ignorance about economic, social, and cultural (ESC) human rights. For a long time, this split stood in the way of an equal recognition of ESC rights; they were not seen as rights but rather as political goals that can be implemented only if sufficient resources are available. Today it is accepted—and the Vienna Conference has helped considerably in this respect—that there are no fundamental differences between the two areas of law. An understanding of the threefold nature of state obligations to protect human rights has developed: the state must refrain from violating human rights through its own action (obligation to respect); it must protect people on its territory from violations of human rights by third parties (private actors, companies, armed groups, etc.) as part of its obligation to protect;

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5. "Vienna Declaration and Programme of Work," 18.

and it must also use resources to proactively implement these rights as part of its obligation to guarantee. The obligation to respect can be implemented primarily through refraining from state action (no arbitrary arrests, no forced evictions from the land); the other two obligations also require the use of resources. All human rights, as well as civil and political human rights, create these three types of state obligation.

Third, the Vienna Conference and its declaration advocated for a strengthening of institutions to implement and monitor the realization of human rights. It led to the creation of both the Office of the High Commissioner for Human Rights and the position of the High Commissioner for Human Rights at the international level. At the national level, the declaration and the plan of action asked for the establishment of national human rights institutions that should be created as independent institutions with the mandate for protecting and promoting human rights at the national level.<sup>6</sup> This was a major impulse for strengthening the human rights infrastructure of the United Nations. The international human rights protection system was further developed and strengthened in 2006 through the establishment of the Human Rights Council as a subsidiary body of the UN General Assembly and the regular review of all states on their respective implementation status of human rights through the Universal Periodic Review (UPR). Overall, the institutional structure for the implementation of human rights is comparatively small and weakly financed. Beside the mentioned institutions, the instruments of human rights protection include many other instruments, seven other special conventions, as well as working groups of the Human Rights Council and special thematic and country-specific mandates of the Commission on Human Rights, which was followed in 2006 by the Human Rights Council.<sup>7</sup>

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6. There are currently 117 national human rights institutions (NHRIs), 86 of which are classified as independent. NHRIs are reviewed for their independence every five years in accordance with the Paris Principles, which were also drawn up in 1993. In Germany, the German Institute for Human Rights is the national human rights institution. It was founded in 2001 by a unanimous decision of the Bundestag.

7. The core human rights conventions include those against racial discrimination, torture, and enforced disappearance as well as those related to specific groups of people, the Women's Rights Convention, the Children's Rights Convention, the Migrant Workers Convention, and the Convention of Persons with Disabilities. The working groups include the Working Group on the Right to Development, the Working Group on Business and Human Rights, the Expert Mechanism on Indigenous Peoples, etc. This is not the place to go deeper into the details of the International Human Rights Protection system.

## **How Effective Is the System and What Challenges Does It Face?**

Human rights conventions or treaties are not automatically implemented, despite ratification by many signatory states. Human rights must always be fought for. Most deficits in the implementation of human rights treaties are determined in particular by the situation in individual countries. Even if the treaties alone do not guarantee protection against human rights violations, their benefit is considerable, as they make clear what inalienable human rights comprise. This always strengthens the victims in the knowledge of what is wrong and delegitimizes the perpetrators.

How can the developments since 1993 be assessed? Are the instruments really oriented toward realizing the indivisibility of all human rights? Is universality accepted or increasingly questioned? Is the human rights protection system sufficiently fit for the challenges outlined?

### **Universality**

The number of authoritarian regimes worldwide is increasing, and not only in the perception. For a long time, far more than half of the world's population lived in democracies. Now, however, according to the Bertelsmann Foundation's Transformation Index, just under 49 percent of the world's population still live in democracies.<sup>8</sup> Many of these existing democracies can be described as defective. The number of countries in which the scope for civil society is declining is increasing, as documented by the Atlas of Civil Society, a key indicator of freedom and participation.<sup>9</sup>

Several reasons come together to explain how the trend reversal to authoritarianism has come about. The narrowing of civil society's space is a reaction of the decade of the 1990s, which was a decade of growth for civil society actors. In many countries, thousands or tens of thousands of civil society actors were founded during the 1990s. The series of world conferences of that decade was accompanied by a strengthening of a global basis of international non-governmental organizations and international networks. These have used the new institutions, created also in human rights

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8. BTI Transformation Index, "Democratic Resilience under Pressure," See also in detail the Bertelsmann Transformation Index 2020, <https://bti-project.org/en/press>.

9. Brot für die Welt / Civicus (Hrsg), *Atlas der Zivilgesellschaft 2020*, [https://www.brot-fuer-die-welt.de/fileadmin/mediapool/2\\_Downloads/Fachinformationen/Atlas\\_d\\_zivilgesellschaft/2020/Atlas\\_der\\_Zivilgesellschaft\\_2020.pdf](https://www.brot-fuer-die-welt.de/fileadmin/mediapool/2_Downloads/Fachinformationen/Atlas_d_zivilgesellschaft/2020/Atlas_der_Zivilgesellschaft_2020.pdf).

and the human rights protection system, to hold states more publicly and more vociferously to account. Authoritarianism can therefore also be read as a reaction of traditional political, economic, and military elites to the increasing demand for public accountability.

Promotion of democracy was at the same time very much oriented toward the promotion of elections as a key indicator for measuring democratic change. The importance of a democratic institutional landscape has been underestimated in many countries: this includes free and independent media, the development of political parties, independent party financing, control institutions ranging from audit offices to labour inspectors, and social interest groups such as employers' associations or trade unions. We are therefore not only witnessing the emergence of defective democracies; in some cases, it is incomplete political systems that have been tolerated or barely improved as long as elections were at least held.

An important challenge to universal validity came from the West itself, especially in its reaction to the 11 September 2001 attacks and Islamist terror. The at least partial relativization of torture in the Iraqi prison Abu Graib or in Guantanamo provides excuses for other regimes to also point to the restriction of human rights.

## **Indivisibility**

Economic inequality is one of the greatest human rights challenges facing the world today. Nearly half of the world's population lived on less than US\$5.50 per day in 2020; due also to population growth, poverty rates have increased in South Asia, Africa, and the Middle East since 1990.<sup>10</sup> According to the Global Prosperity Report 2019, the poorest 50 percent of adults worldwide have less than 1 per cent of global wealth, while the richest 10 percent of adults account for 82 percent of wealth and the top 1 percent has 45 percent of global wealth.<sup>11</sup> Many reports by the United Nations, NGOs such as Oxfam and the Centre for Economic and Social Rights, but also by economists, show the impact of economic inequality on the realization of various economic and social human rights, such as access to education and

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10. World Bank, *Piecing Together the Poverty Puzzle* (Washington, DC: World Bank Group, 2018), <https://openknowledge.worldbank.org/bitstream/handle/10986/30418/9781464813306.pdf>.

11. Credit Suisse, *Global Wealth Report 2019* (Zürich: Credit Suisse, 2019), <https://www.credit-suisse.com/about-us/en/reports-research/global-wealth-report.html>.



health services, infant mortality, lower life expectancy, etc.<sup>12</sup>

During the 1990s and the first decade of the 2000s, the focus of international attention was mainly on poverty reduction with the Millennium Development Goals. The Sustainable Development Goals aim to tackle also social inequality, which is to be reduced within and between countries. De facto, however, inequality has not only exploded on a global scale, but also in many countries. Several economists<sup>13</sup> have published studies that document this trend as one that is happening in most countries and on a global scale. Oxfam is documenting the trend in its global inequality report every year. “Since 1995, the top 1% [of people on earth] have captured nearly 20 times more of global wealth than the bottom 50% of humanity.”<sup>14</sup> The COVID-19 pandemic has also shown how much economic inequality affects access to the health system and to job opportunities through digitalization, even in times of pandemic. Many already disadvantaged population groups, such as Indigenous people in Brazil or the US, Roma in Europe, or casteless Dalits in India, have a much higher mortality rate and suffer particularly from the economic effects.

Inequality is also perpetuated in and by climate change. Philip Alston, who was UN Special Rapporteur on Extreme Poverty until 2020, has pointed out that the poorest half of the world has contributed just 10 percent of carbon dioxide emissions, while the richest 10 percent is responsible for half of the emissions. At the same time, the richest have a better chance of adapting to climate change, the most severe impacts of which will be felt in regions where the most vulnerable (rural populations, farmers, etc.) live.<sup>15</sup>

Indeed, it has taken a long time—since the Vienna Human Rights Conference—for the understanding of the indivisibility and equal value of economic, social, and cultural human rights to develop. The work of the UN Committee on Economic, Social and Cultural Rights has contributed to this since 1987, as has the work of smaller human rights organizations that

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12. See the compilation of literature in Gillian MacNaughton, Diane F. Frey and Catherine Porter in the introduction to the anthology they edited, *Human Rights and Economic Inequalities* (Cambridge: Cambridge University Press, 2021).

13. See as examples Branco Milanovic, *Global Inequality: A New Approach for the Age of Globalisation* (Cambridge, MA: The Belknap Press of Harvard University Press, 2016); Thomas Piketty, *Das Kapital in 21. Jahrhundert* (München: C.H. Beck, 2014).

14. Oxfam, “A Deadly Virus: 5 Shocking Facts about Global Extreme Inequality,” <https://www.oxfam.org/en/5-shocking-facts-about-extreme-global-inequality-and-how-even-it>.

15. Phillip Alston, Report of the Special Rapporteur on Extreme Poverty and Human Rights (UN, 2019) UN Doc. A/HRC/41/39.

have advanced the global understanding of economic, social, and cultural human rights enormously by focusing on individual rights violations.<sup>16</sup> In development policy, a human rights-based approach has been advocated for many years, and progress has been made on many issues.<sup>17</sup> At universities, too, it has taken a long time for the field of research on these rights to grow. Today, of course, they can be found in all recent constitutions since the 1980s, the number of cases before courts is increasing enormously, and the reference of human rights organizations has also risen sharply. The fact that the two large international human rights organizations, Amnesty International and Human Rights Watch, have had such a hard time approaching this part of human rights has certainly not been useful for a long time in the recognition of the indivisibility of all human rights, but they have since 2004 gradually also taken up work in this area.

Has this long neglect of economic, social, and cultural issues contributed to the fact that the recognition of human rights by social movements in the global South has been perceived as deficient? Samuel Moyn in particular has made his mark with this thesis. In his book *Human Rights in an Unequal World*, he goes even further: he does not criticize the lack of work on ESC rights but locates economic neoliberalism and human rights in the same tradition of thought. He sees a seemingly correct chronological relationship between the common emergence of human rights and neoliberalism.<sup>18</sup> This is an inadequately researched thesis in two senses. On the one hand, he is hardly familiar with human rights work on ESC rights and underestimates the numerous works of human rights activists in this context; on the other hand, he locates the global assertion of human rights in the 1970s with its use by the United States after Jimmy Carter and completely fails to recognize the intercultural genesis of the UDHR as described above.

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16. For example, FIAN (FoodFirst Information and Action Network) on the right to food or Habitat International on the right to housing, both of which have documented cases in their thematic area since the mid-1980s.

17. UN Sustainable Development Group, “The Human Rights Based Approach to Development Cooperation Towards a Common Understanding Among UN Agencies” (2003), <https://unsdg.un.org/resources/human-rights-based-approach-development-cooperation-towards-common-understanding-among-un>.

18. Moyn writes “the apparently tight chronological relationship between the twinned rise of human rights and ‘neoliberalism’.” Samuel Moyn, “Human Rights and the Age of Inequality,” in *Can Human Rights Bring Social Justice? Twelve Essays*, ed. Doutje Lettinga and Lars van Troost (Amnesty International Netherlands, 2015), 16. [https://www.amnesty.nl/content/uploads/2015/10/can\\_human\\_rights\\_bring\\_social\\_justice.pdf](https://www.amnesty.nl/content/uploads/2015/10/can_human_rights_bring_social_justice.pdf).

Kathryn Sikkink has reacted to this and made it clear that neoliberalism, with its focus on the individual as rational, self-interested, and self-maximizing, cannot be equated with the understanding of human rights.<sup>19</sup> Human rights focus on the individual as the bearer of individual rights, on the dignity of each person, on the well-being of the individual in the broadest sense. Therefore, individual human rights have legal and moral priority over other political issues. Human rights often presuppose that individual self-interest can be limited in order to protect the rights of other people.

The ongoing backlog in recognition of and work on ESC rights and the still low level of engagement with issues of economic justice and equitable distribution of resources is a core task for the human rights movement to credibly guarantee human dignity in a comprehensive way. Economic inequality is both a consequence and a cause of human rights deprivation and needs to be addressed more by the human rights movement.

## **Institutions**

The institutions of the human rights protection system have developed and grown in number since the Vienna Human Rights Conference. Some new human rights treaties, such as the Convention on the Rights of Persons with Disabilities and the Convention against Enforced Disappearances, have been adopted since then, and the number of treaty bodies—the expert bodies that monitor the implementation of these core human rights treaties—has grown to ten. As well, many new country and thematic mandates have been added. Currently, almost 60 special rapporteurs, special representatives, and independent experts have received a mandate from the Human Rights Committee since 2000, in addition to various working groups, usually consisting of five members, one from each region of the world. Many of these experts have produced important reports, developed guidelines on the implementation of individual human rights, and produced excellent reports on the situation in individual countries and for the overall understanding of human rights. However, with the large number of mandates collectively agreed upon by the community of states, there is a danger that the system is becoming somewhat frayed and lacks focus. In view of the limited financial resources available for human rights at the United Nations, the instruments quickly come into conflict; also, the system becomes financially vulnerable when individual states do not pay their contributions adequately. Since 2014,

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19. Kathryn Sikkink, *Evidence for Hope in Human Rights Work in the 21st Century* (Princeton: Princeton University Press, 2017).

for example, there have been discussions about strengthening the system of treaty bodies. The procedure of regular human rights reviews by these treaty bodies can certainly become more efficient and be improved in its substantive stringency. However, the reform process that began with Resolution 68/268 of the General Assembly in 2014 can also be used to financially weaken this area of the human rights protection system, which is particularly concerned with the accountability of states and with the framework in which the implementation of human rights treaties is monitored.

The human rights protection system is in need of its own strong lobby at the United Nations. As the number of authoritarian states grows, human rights-violating states are elected to the Human Rights Council in larger numbers, and it becomes more difficult than before to make human rights-friendly decisions. The 20 years following the Vienna Conference were characterized by such a human rights-friendly majority in the relevant bodies, a constellation that has changed in recent years. Quite a few of these human rights-critical states are now pursuing their own agenda there. They are no longer concerned only with keeping condemnations in the human rights system moderate, which was their role for a long time: they now come up with proposals for resolutions which, in substance and spirit, run counter to existing human rights standards.

## **New Challenges**

In addition to these challenges from within the system, from authoritarian or populist regimes, there are changing framework conditions and new challenges to the enforcement of human rights. The biggest challenge is likely to be the worsening ecological crises caused by climate change and biodiversity loss, which will have a massive impact on human rights worldwide, especially economic, social, and cultural human rights. The second major challenge is to control private actors who can have an enormous footprint on human rights. Especially in times of globalization, it has become more difficult for states to manage and control international companies or financial investors. Companies can change countries and regions too quickly, swap countries, and escape tax rules or legal regulations. This is especially true for companies in the digital economy, which have been able to establish their business models internationally and are difficult to control. Successful control of the activities of private actors that leads to respect for human rights or enables states to fulfil their duty to protect people on their own territory is a very difficult task that is already being tackled by the human rights movement and the human rights protection system.

## In Conclusion

If it did not exist, it would be necessary to invent a new Universal Declaration of Human Rights as the Charter of Fundamental Rights of the United Nations. The fact that there is growing resistance to the human rights agenda is mainly due to the fact that human rights call for transparent and participatory policies oriented toward the full realization of all rights contained in the Universal Declaration of Human Rights. This requires a commitment to the rule of law, a trend that is being challenged in many countries because traditional and new elites want to secure their own power and reject accountability for their decisions.

The non-implementation of human rights and resistance against their claim to validity are and were nothing new historically and should not be underestimated, especially in retrospect, to the situations in the middle of the Cold War. The determined commitment of civil society, academia, experts, and human rights-friendly states is still necessary to defend a strong human rights protection system.

As bleak as the picture of the human rights system has recently been shown by some scholars (Moyn, Kennedy) as dependent on neoliberalism, without reference to questions of inequality and decolonization, they are empirically wrong. Kathryn Sikkink has shown in her book *Evidence of Hope* how much has changed empirically in the recognition and implementation of human rights. Every gain in understanding of discrimination always triggers resistance. Nevertheless, the discourse on women's rights, on the perception of domestic violence as a human rights issue, on accessibility for people with disabilities, on taking children's concerns and participation seriously in policy decisions affecting them, on the importance of a human rights-based approach to dealing with food, water, housing, health, or the connection of business and human rights is in a very different place today than it was three decades ago.

Human rights have their universal recognition and meaning in the experience of injustice, in which what constitutes human dignity is understood across all cultures. Human rights do not fall from heaven: they have to be fought for again and again, and in doing so, new strategies are being used by experts and the human rights movement from time to time, such as strategic litigation, which has become increasingly important in recent years, especially in the areas of business and human rights and with respect to ecological and environmental challenges. This strategic innovative capacity of the human

rights movement is challenged by the current increase in resistance against human rights in authoritarian states. An intensive debate on and promotion of a culture of human rights—of a concrete practice of human rights—is needed.<sup>20</sup> It is encouraging to see that the civil society, including religious actors from the global South, is becoming more involved in the current human rights discourse and that questions of justice, decolonization, and the ecological crisis are coming more into focus. The global movement for human rights must and will change to address the new challenges adequately.

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20. See Wolfgang Kaleck, *Die Konkrete Utopie der Menschenrechte. Ein Blick zurück in die Zukunft* (Frankfurt a.M.: S. Fischer Verlag, 2021).



**Section 2**  
**Biblical Foundations**







## The “Way of the Lord”: Biblical Roots of Engagements for Human Rights and Human Dignity

Dennis Solon

### Introduction

Modern references to “human rights” and “human dignity” may not have direct literal equivalents in the Bible, but the sense of these expressions is traceable in Jewish-Christian texts, even if the line, to borrow from James Barr, is neither “straight” nor “easy.”<sup>1</sup> It is worth noting that dedicated Christian leaders and representatives played an important role in many human rights–related conventions during the early 1940s, which later led to the Universal Declaration of Human Rights in 1948.<sup>2</sup>

While we think of the Universal Declaration of Human Rights as essentially universal in scope, we turn to its contextual peculiarity based on some biblical proclamations. It must be noted that the relevant concepts that can be gleaned from the biblical texts are particularly situated, although they have some universal accents, such as can be seen in the writings of Paul. This chapter assumes close affinity between human rights and human dignity; or, more specifically, the concept of human rights stands on the concept of human dignity and argues that today’s Christian engagement for human rights and human dignity is in line with the biblical mandate to keep the way of the Lord—the way of righteousness and justice. Generally, biblical ethical commands concerning the rights and dignity of humankind especially take consideration of the weak and vulnerable in the society.

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1. James Barr, “Ancient Biblical Laws and Modern Human Rights,” in *Bible and Interpretation: The Collected Essays of James Barr, vol. 1*, ed. John Barton (Oxford: Oxford University Press, 2013), 470–80, 471. Worth mentioning also is the work of Eckart Otto, “Human Rights: The Influence of the Hebrew Bible,” *JNSL* 25 (1999), 1–20, which traces the conceptual influence of the Hebrew Bible on modern human rights. Drawing on the book of Deuteronomy, the work introduces a principle of flat solidarity (among all human beings) under the divine reign of Yahweh.

2. See Robert Traer, *Faith in Human Rights: Support in Religious Traditions for a Global Struggle* (Washington, DC: Georgetown University Press, 1991), 172ff.

## The “Way of the Lord” as Protecting the Weak and Vulnerable

Righteousness and justice are biblical social norms that have affinities to today’s ethic of human rights and human dignity. This twin ethical demand of Yahweh is especially manifest in the Book of Laws (the Pentateuch) of the Hebrew Bible. For instance, the story of three men visiting Abraham, as narrated in Genesis 18, emphasizes the divine election of Abraham toward a community that demonstrates the way of the Lord characterized by “righteousness and justice” (*tsidaqah umispat*, Gen. 18:19). This displays a particular moral connection between Yahweh and the people. Activities that are contrary to the “way of the Lord” are generally referred to in the story as sin (Hebrew *chattāt*, Gen. 18:20) performed by the wicked, which results in a great outcry (Hebrew *ze’aqā*) of the victims that has reached the Lord.<sup>3</sup> The Hebrew *ze’aqā* (“cry,” “outcry”) primarily implies a cry for help from a subject who experiences distress or oppression.<sup>4</sup> Indeed, the Old Testament depicts in many places God’s mindfulness of the plight of those victimized by evil deeds (e.g., Ex. 3:7; Lam. 3:34–36).

The ensuing dialogue between Abraham and the Lord in Genesis 18:22–32 reveals that not even a handful of righteous can be found in Sodom. These places are practically saturated with injustice, resulting in the divine indictment “How great is the outcry against Sodom and Gomorrah. . .” (Gen 18:20) that reminds of God’s protest against human wickedness, such that God decided to wipe out humankind from the face of the earth (Gen. 6:5–7). Nahum Sarna is therefore right when he says that Sodom’s sin is “heinous moral and social corruption, an arrogant disregard of elementary human rights, a cynical insensitivity to the sufferings of others.”<sup>5</sup>

The way of Yahweh that consists in righteousness and justice, as indicated in the laws stipulated for the people, especially affirms and protects the basic rights of humankind and their dignity. The Decalogue (Ex. 20:1–17; Deut. 5:6–21), for instance, implicitly serves as a guide for keeping the way of the Lord “so that you do not sin” (Ex. 20:20). The structure and contents of the Decalogue show the interconnectedness of devotion to Yahweh and justice toward humankind. The latter may also be referred to as active affirmation of

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3. See Ecclesiastes 3:16, where wickedness is placed in contrast with righteousness and justice.

4. See G. Hasel, “רִצְפָּה,” *TDOT* 4:112–22.

5. Nahum Sarna, *JPS Torah Commentary: Genesis* (Philadelphia: JPS, 1989), 132.

human rights and dignity.<sup>6</sup> The command “not to kill,” for example, affirms an inherent right of every human person to live and not to be killed. While this command conveys care or protection for potential victims, it especially discourages (thus the prohibition) the use of whatever means within one’s capacity or power that could cause the death of the other.

Potential victims are normally vulnerable, while offenders usually have the ability and means at their disposal to commit the crime. The murder of Abel by his older brother, Cain (Gen. 4:1-10), is a classic example of a human being exercising power over the other toward committing murder, against which the victim’s blood cries for vindication. The story of Naboth and his vineyard (1 Kings 21) betrays a systemic deprivation of right to life and property committed by no less than the king, who is supposed to be the guardian of the people’s rights and wellbeing, according to the way of Yahweh (righteousness and justice; see also 1 Kings 10:9; Is. 5:1-7; Jer. 23:13-17). For the commoner Naboth, his ancestral inheritance is neither negotiable nor alienable, and keeping it signifies his devotion to Yahweh: “The Lord forbid that I should give you my ancestral inheritance” (1 Kings 21:3). All this turns to nought against a powerful king, as revealed in his wife’s orchestration of Naboth’s (extra)judicial execution, which now facilitates a royal takeover of the victim’s property (1 Kings 21:7-16).<sup>7</sup>

## Engagement for Human Dignity as a Task for God’s Loyalists

The way of the Lord motivates God’s loyalists to engage themselves to uphold human dignity. We see this in the life of Job. In Job’s poetic recollection of his prime, he saw himself as a man of dignity who was also able to uphold the dignity of his fellow beings:

I put on righteousness (*tsedeq*), and it clothed me; my justice (*mishpat*) was like a robe and a turban.

I was eyes to the blind, and feet to the lame.

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6. Walter Harrelson, *The Ten Commandments and Human Rights* (Macon: Mercer University Press, 1997), makes a strong case for the human rights aspects of the decalogue. See also the relevant article by Barr, “Ancient Biblical Laws.”

7. For a Filipino contextual treatment of the Naboth story, see Noriel C. Capulong, “Land, Power and People’s Rights in the Old Testament: From a Filipino Theological Perspective,” *EJOT* 2 (1984), 233–43.

I was a father to the needy, and I championed the cause of the stranger.

I broke the fangs of the unrighteous, and made them drop their prey from their teeth. (Job 29:14-17)

In line with God's righteousness and justice, Job cared for the weak and protected the oppressed. However, Job's seeming honorific stature turned upside down with his ordeal (Job 1:13–2:10). On account of his integrity (Hebrew *tummah*, also "innocence"), he protests against God's apparent absence while suffering undeservedly (Job 30:20–31:6). The terrors, personified in the book as the demonic elements of the underworld (Job 18:11, 14; 24:17; 27:20<sup>8</sup>), which cause sufferings and which he now experiences, are threatening the very core of his being—his dignity (*nedība*; Job 30:15b). Referred to here by *nedība* is not merely the dignity that Job used to enjoy as a public, social individual but more "his inner sense of nobility, his self-assurance, his sense of importance."<sup>9</sup> The root of this word, *ndb*, which connotes freedom to act or move according to one's will, especially for service,<sup>10</sup> indicates Job's being rendered unable to serve and to be in solidarity with people in need. Job's feeling of utter loss of dignity results from abuses of his being (Job 30:1-15), in which he perceives God as an active antagonist (e.g., Job 16:11; 19:6; 30:11, 19, 21) who allegedly has taken away his right (*mishpat*; Job 27:2).

This example of human experiences in the character of Job, whose rights and dignity are under attack, reveals nevertheless a faithful one's resolve to keep the way of Yahweh, despite the many aporias (contradictions or doubts) of life's circumstances. In the end, Job can openly declare with complete surrender that "the Almighty . . . is great in power and justice, and abundant righteousness he will not violate" (Job 37:23).

## **Engagement for Human Rights and Human Dignity as Actively Preparing the Way of the Lord en Route to God's Reign**

The ethical aspects of the way of the Lord, just as what we have seen above in some Old Testament passages concerning the ethical demands of

8. See David J. Clines, *Job 21–37*, WBC 18A (Nashville: Thomas Nelson, 2006), 1004.

9. Clines, *Job 21–37*, 1004.

10. See *DCH* 5:618; *BDB*, 621.

righteousness and justice, are implicitly pronounced in the gospels (and Acts). In the Gospel of Luke, for instance, John the Baptist’s sermon of repentance for salvation (Luke 3:1-14; see also Luke 1:76-77) is situated within an unfavourable socio-political context of 1st-century Palestine. He calls for an abolition of social oppression as a concrete expression of preparing the way of the Lord. Here, the social dimension of repentance—that is, moral transformation through active amends for social injustice committed—is exemplified:

And the crowds asked him, “What then should we do?” In reply he said to them, “Whoever has two coats must share with anyone who has none; and whoever has food must do likewise.” Even tax collectors came to be baptized, and they asked him, “Teacher, what should we do?” He said to them, “Collect no more than the amount prescribed for you.” Soldiers also asked him, “And we, what should we do?” He said to them, “Do not extort money from anyone by threats or false accusation, and be satisfied with your wages.” (Luke 3:10-14)

John’s call to repentance seeks to secure once again the very basic human needs for all: food, clothing, and economic subsistence. As a concrete manifestation of repentance, the haves and those in authority are obliged to put an end to the adverse plight of the have-nots by stopping every form of violation and abuse of privilege.<sup>11</sup> It is noteworthy that John’s reference to Abraham corrects every wrong assumption of privilege on account of being “descendants of Abraham.” Exactly on this basis are Abraham’s descendants indicted with God’s wrath for failing to pursue God’s way of justice and righteousness as God has envisioned (see Gen. 18:20-21). The positive command to share basic commodities in such a “limited good” society<sup>12</sup> of Palestine (as an advanced agrarian and peasant society) is especially crucial toward minimizing social and economic disparity, and the failure to do so further exacerbates the dehumanization and loss of dignity of the disenfranchised.<sup>13</sup>

11. See Jeremiah 5:1-5, esp. vv. 4-5, in which the rich are held responsible for upholding the dignity of their lowly fellows.

12. See George Foster, “Peasant Society and the Image of Limited Good,” *American Anthropologist* 67 (1965), 293–315, esp. 296; Philip F. Esler, *The First Christians in Their Social Worlds: Social-scientific Approaches to New Testament Interpretation* (London: Routledge, 1994), 34: “From the Mediterranean perspective, since all goods were limited, a person could only increase his or her supply of them at the expense of someone else.”

13. See David E. Garland, *Luke, ZECNT 3* (Grand Rapids: Zondervan, 2011), 291.

John's citing of Isaiah's prophetic pronouncement of the way of the Lord (Is. 40:3-5) connects repentance with active performance of social justice.<sup>14</sup> The offer of salvation in Luke reminds of Isaiah's message of Judah's restoration in righteousness and justice on account of repentance (Is. 1:27).<sup>15</sup> Thus, John's sermon in the wilderness in anticipation of Jesus Christ's ministry is a message of justice in its wider sense—an invitation to join God's cause in upholding every person's dignity and right to life. Indeed, the gospels do not fail to show Jesus' ministry of solidarity and protest as a ministry that in many ways promotes the dignity of the downtrodden and marginalized—a ministry which his loyalists are invited to emulate (e.g., Mark 10:45; Matt. 25:31-46; Luke 4:18-19; John 10).<sup>16</sup>

## The Way of the Lord as the Way of Peace

Paul's "way of peace" offers a hermeneutical key to understanding the "way of the Lord" as a Christian ethic that upholds human rights and human dignity. The expression appears in Romans 3:17 as Paul presents his message of God's salvation in Christ (Rom. 1:16–3:26), given the prevalence of impiety and injustice as the *conditio humana* that manifests humankind's failure to know the "way of peace" (*hodos eirēnēs*). This expression intensifies the ethical dimension of the way of the Lord. The "way of peace" is in the main walking in justice through active upholding of human dignity. The justice theme is emphasized in the overall message of the letter, as well as in that passage of Isaiah (Is. 59:8) from which Paul picks up the notion of the "way of peace."

In Romans 3:9-20, Paul expresses his indictment against humankind's incapability to uphold the dignity of their neighbour. Citing a series of Old Testament texts, especially Psalms, Paul issues a sweeping negative description of humankind: there is no one who is righteous (*dikaios*) . . . there is no one who understands (*syniēmi*) . . . there is no one who seeks (*ekzēteō*) God, a

14. This text in Isaiah gave impulse to a civil rights movement led by Martin Luther King, Jr. See Eric J. Sundquist, *King's Dream* (New Haven: Yale University Press, 2009), 16; See also Bo H. Lim, *The 'Way of the Lord' in the Book of Isaiah*, LHOTS 522 (New York: T & T Clark, 2010), 1.

15. The thematic parallel in Psalm 5:8 (9) conveys a somewhat different accent: in the Psalm, the victim's plea is for God to make the way straight; in the synoptics, it is the people who are, in repentance, to make God's way straight.

16. For a treatment of Jesus' engagement for human dignity, see Dennis Solon, "Diaconia and Human Dignity: Asian Theological Considerations," in *International Handbook on Ecumenical Diakonia*, ed. Godwin Ampony et al. (Oxford: Regnum Books International, 2021), 317–23.

statement he rephrases by saying that “there is no fear of God before their eyes” (Rom. 3:18). The emphasis on the offense of inflicting violence on others in this passage also has an indirect affinity to the prophetic indictment in the book of Habakkuk against such forms of human rights violations, which are in essence contrary to the demands of *mishpat* on account of not fearing the Lord (Hab. 1:1-4<sup>17</sup>).

Paul’s point is that everybody turned away from God (*ekklinō*<sup>18</sup>) by turning against their neighbour—as opposed to doing what is useful *chrēstotēs*, that is, performing service or help: Rom 3:13–16<sup>19</sup>—and in so doing have been rendered useless (Rom. 3:12; *achreioō*; Vulg. *inutilis*). As Paul describes it (Rom. 3:13-16), the extent of injury inflicted upon their neighbour ranges from treachery (“they use their tongues to deceive”) to violent speech (“their mouths are full of cursing and bitterness”) and even murder (“their feet are swift to shed blood”). Then Paul ends his indictment by saying that “the way of peace they have not known” (Rom. 3:17).

For Paul, sinful activities that injure other beings have led to damage of human dignity as a whole. Then, the essential beauty and goodness of humankind exhibit the glory of God, the creator (see Gen. 1:26-27; Ps. 8:5). With this sense, the Greek phrase *hysterōntai tēs doxēs tou theou* can be translated by “they lack the glory of God,” whereby *doxa tou theou* is understood as a *genitivus subjectivus* (thus, “glory that comes from God”). In this light, not only victims of human rights violations suffer loss of human dignity, but also perpetrators of injustice, in that they have lost the sense of humanity that supposedly reflects God’s glory.<sup>20</sup>

Paul’s pronouncement of God’s salvific act in Jesus Christ (Rom. 3:21-31) seeks to explain the benefits of God’s justice (*dikaioσύνη του θεου*), especially the restoration of God’s glory in humankind, which in turn enables the justified to follow the way of peace. The ethical aspects of peace are scattered in Paul’s letters. Romans 5:1, for instance, contains a direct correlation

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17. See Mária Eszenyei Széles, *Wrath and Mercy: A Commentary on the Books of Habakkuk and Zephaniah*, trans. George A. F. Knight (Edinburgh: Handsel, 1987), 11.

18. See J. P. Louw and Eugene Albert Nida, *Greek-English Lexicon of the New Testament: Based on Semantic Domains*, Vol. I, 2nd ed. (New York: United Bible Societies, 1989), 377.

19. See Louw and Nida, *Greek-English Lexicon*, 743.

20. For a discussion on the double dimension of Paul’s concept of justification in Romans as affecting both the victims and the perpetrators of injustice, see Dennis Solon, *Rechtfertigung der Sünder und Solidarität mit den Opfern: Eine befreiungstheologische Auslegung des Römerbriefs* (Berlin: LIT Verlag, 2015).



between the justification of believers and the ensuing ethical imperative of having peace with God.<sup>21</sup> Such an imperative entails a radical transformation rooted in God's justice in Christ from a life marked by impiety (Greek *asebeia*; also "godlessness") and injustice (i.e., injuring others; Greek *adikia*) to faithful devotion to God and rightful care for the dignity of all humankind (cf. Rom. 1:18). Using the believer's baptism as metaphor, Paul describes such a social transformation as walking "in the newness of life" (Rom. 6:5) and, in line with God's way of righteousness and justice, as living "to God in Jesus Christ" (Rom. 6:10-11). Striking also is how the ethical aspect of God's justice in Christ addresses the issue of the use of human properties (Greek *hoplon*, "instrument," "weapon") in order to perpetrate injustice. Thus, Paul says, do not present your members to God any longer as weapons of injustice (*hopla adikias*) . . . but present your members to God as weapons of justice (*hopla dikaiosynēs*; Rom. 6:13).

## Conclusion

In this brief chapter I have sketched some biblical concepts that could shed light on Christian understandings of human rights and human dignity. The Judeo-Christian notion of the "way of Yahweh," which puts emphasis on the ethical demands of justice and righteousness, as gleaned in the Abraham narrative (Gen. 18), is a key normative concept that can guide every Christian pursuit of the rights and dignity of all humankind. It serves as a scale on which loyalty to the reign of Yahweh—whether of kings or common citizens—is measured. Naboth and Job appear as implicit examples of such faithfulness to the way of Yahweh, while the figure of King Ahab exemplifies a royal failure of upholding the dignity of his subjects. In the gospels, John's prophetic message of repentance conveys the task of the privileged to protect the weak in the society and to provide for their needs. Finally, Paul's teaching on justification in Christ offers an invitation to take part in Christ's solidarity with all humankind in justice and loyal devotion to God as a way of peace.

These biblical roots of human rights and human dignity are especially instructive in markedly Christian countries and societies, such as in the Philippines, where human rights violations have almost become the order of

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21. This reading is based on the textual variant of Romans 5:1, containing the subjunctive *echōmen*, which has an imperative effect, thus "let us have . . . peace with God." See also Dennis Solon, "The Mission of Advancing Peace Based on Justice by Upholding Human and People's Rights in These Critical Times: A Thematic Study of Romans 5:1," in *Human Rights Week Celebration Guide*, ed. Melinda Grace Aoanan and Zhara Jane Alegre (Manila: United Church of Christ in the Philippines, 2017), 16–20.

the day, committed with much impunity and neglect of human dignity. The present regime’s war on drugs, for instance, has in many respects exacerbated the already worsening culture of impunity. Prophet Elijah’s indictment against a king who whimsically uses his political might to satisfy his caprices at the expense of the powerless effectively resonates well with many voices of resistance from many Indigenous peoples in the land against development initiatives that could destroy their land and culture. Noriel Capulong, in his 1984 article, contextually reflects on the Naboth story in view of the destructive Chico River dam project at the time.<sup>22</sup> With the Philippine Mining Act of 1995, many of the most vulnerable Indigenous peoples continue to suffer from its devastating effects, such as displacements, killings, illegal detention, and many other forms of human rights violations, not to mention its adverse effects on the environment.<sup>23</sup>

The discussions here are limited to the notions of justice and righteousness within the framework of the “way of the Lord” and their general ethical trajectories for human rights and human dignity. Exploring their political implications for active ethical engagements, for instance, in terms of advocacy and lobbying, could further enrich this present study. Worth considering for further reflection are the Pauline concepts of conscience (*syneidesis*; see Rom 13:5) and citizenship (e.g., Phil. 1:27) and their potential contribution to today’s biblical discourses on human rights and human dignity in political spheres.

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22. See Capulong, “Land, Power and People’s Rights,” esp. 233–34, 236–37.

23. See Marina Wetzlmaier, “Cultural Impacts of Mining in Indigenous People’s Ancestral Domains in the Philippines,” *ASEAS* 5 (2012), 335–44.



## Human Rights and the Biblical Narrative

Friedrich Lohmann

### Introduction

The international movement for human rights, with the Universal Declaration of Human Rights (UDHR) at its symbolic centre, did not come to birth out of the blue. It is true that the adoption of the UDHR in December 1948 was the first time that equal rights were claimed for all human beings, around the globe, and that this claim was made by a body with planetary scope and recognition, the United Nations General Assembly. However, the drafting commission of the UDHR could draw upon a long history of ideas, actions, and written law in which the notion of equal rights for all human beings had taken shape.

The Christian contribution to this history is ambiguous. On the one hand, Christian theologians and churches were opposed to the burgeoning rights talk, defending monarchy and the old political order, but there also was a crucial positive impact of Christian theology and practice for the human rights movement long before the movement received its name. In the middle of the 16th century, the Dominican friar Bartolomé de las Casas witnessed the cruelties of the Spanish colonists against the Indigenous people of Latin America and defended the latter by claiming rights deriving from their humanity.<sup>1</sup>

The Protestant Reformation, which originated in the same century, can be called a reformation of rights.<sup>2</sup> Christian activists were leading the

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1. See, e.g., Lawrence A. Clayton and David M. Lantigua, *Bartolomé de las Casas and the Defence of Amerindian Rights: A Brief History with Documents* (Tuscaloosa: University of Alabama Press, 2020).

2. John Witte, Jr., *The Reformation of Rights: Law, Religion, and Human Rights in Early Modern Calvinism* (Cambridge, MA: Cambridge University Press, 2007).

struggle to end slavery in the 19th century United States.<sup>3</sup> These are just three examples, predecessors of the human rights movement, standing on Christian convictions.

All Christians who engage in human rights, past and present, invoke the Bible as the source of their thoughts and actions, as a witness of human liberation, despite its long-standing use as a legitimizing tool for oppression and the denial of rights. In this chapter, I will give an overview of the main arguments for the struggle for human rights that can be derived from the biblical narrative.

## Equality

The central person of Christian belief is Jesus; therefore, it seems right to start this overview with the message he sent out through his actions and teaching. One of the most prominent features of his attitude, and particularly relevant when talking of him as a catalyst of later human rights activism, is the way he treats everyone as equal, strongly opposing the social exclusivism that shaped the society in which he was living. Questions of social status, wealth, gender, ethnic affiliation, or physical disability did not matter to him when he was interacting with people around him. Even more, he voluntarily transgressed the social boundaries of his time and took special interest in those at the margins of society, thereby provoking his bystanders and even putting them off.<sup>4</sup>

Lots of examples could be given here. Let me just mention the particularly revealing encounter between Jesus and a Samaritan woman at a well (John 4). His disciples “were astonished that he was speaking with a woman” (John 4:27); if we look a bit closer, we can see that Jesus transgresses the social order of his time in no less than three instances: he talks (1) to a woman who is (2) Samaritan and (3) in no proper marital relationship.

The source for Jesus’ embracing attitude is the notion of a common humanity, in which everyone stands on equal footing, notwithstanding social ranking or former personal wrongdoing. We can see a glimpse of that in the

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3. John Coffey, “The Abolition of the Slave Trade: Christian Conscience and Political Action,” in *Cambridge Papers* 15:2 (2006), <https://cdn2.hubspot.net/hubfs/6674075/Cambridge%20Papers/The%20Abolition%20of%20the%20Slave%20Trade.pdf?hsCtaTracking=6c914e71-8715-43ec-bbe3-2351605a6c8c%7C31658014-2838-491b-be42-35db9b9e0c87>.

4. See, e.g., Warren Carter, *Matthew and the Margins: A Sociopolitical and Religious Reading* (Maryknoll: Orbis), 200.

story of Zacchaeus (Luke 19:1-10). Once again, the people around Jesus are surprised and annoyed by his spirit of openness. Jesus, however, justifies his positive attitude toward Zacchaeus, the detested and corrupt tax collector, by pointing out that “he too is a son of Abraham” (Luke 19:9). He may be an outsider, a *persona non grata*, for most people around him, but Jesus points out the man’s everlasting membership in the people of God. Moreover, the circle of people included by Jesus is even bigger than just the descendants of Abraham: an officer of the hated Roman occupiers is heard by Jesus as well, and his servant healed (Matthew 8:5-13; Luke 7:1-10). In Jesus’ eyes, God’s kingdom knows no geographical or ethnic limits: “many will come from east and west and will eat with Abraham and Isaac and Jacob in the kingdom of heaven” (Matthew 8:11).

It took the early church some efforts to overcome social prejudices and apprehensions in the way Jesus had preached and acted, as is illustrated in the story of Peter and Cornelius that finishes with Peter as the first witness of Christian inclusivism: “I truly understand that God shows no partiality, but in every nation anyone who fears him and does what is right is acceptable to him” (Acts 10:34-35). Or, in the words of Paul in the Epistle to the Galatians: “There is no longer Jew or Greek, there is no longer slave or free, there is no longer male and female; for all of you are one in Christ Jesus” (Gal. 3:28). Distinctions between groups of human beings and their amalgamation with distinctions of value, so frequently used in our societies, have no place in the eyes of God and should therefore not shape our life on earth either. That is Paul’s revolutionary message,<sup>5</sup> based on the life and teaching of Jesus. This notion of a fundamental equality between all human beings became, and still is, a decisive source for Christian advocacy for human rights.

## Judicial and Economic Rights

With the critique of the elites of his time and the positive attention given to the marginalized, Jesus follows the footsteps of the Old Israel prophets. Their writings, as they are transmitted in the Old Testament, show a high awareness of social injustices. In God’s name, they castigate self-enrichment at the cost of the poor, corrupt political leadership and a partial judicial system. Their protest is an inspiration for all those striving for human rights. Particularly intriguing is the fact that we can already find in the writings of the prophets the language of rights.

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5. Alain Badiou, *Saint Paul: The Foundation of Universalism*, trans. Ray Brassier (Stanford: Stanford University Press, 2003).

Isaiah puts it this way when denouncing those in power: “Ah, you who make iniquitous decrees, who write oppressive statutes, to turn aside the needy from justice and to rob the poor of my people of their right, that widows may be your spoil, and that you may make the orphans your prey!” (Is. 10:1-2). In the original Hebrew text, the word for “right” is *mischpat*, a word with a clear judicial meaning, referring to the court of law. Therefore, by speaking of the right of the widows and orphans, Isaiah not only repudiates their exploitation. He goes way beyond what was for a long time in the Church’s history the way to handle the interests of the poor: by acts of charity and solidarity. No, says Isaiah, this is not enough; beyond charity, it is a simple act of justice to give the poor their due and not to exploit their precarious situation.<sup>6</sup> And by speaking of “their” right, he makes it clear that this is an inherent right that is part of their human identity and God’s order. Therefore, and following Isaiah’s words, any attempt to restrict or to ignore these rights is a sin against God that will be punished by him.

There is another biblical reference for *mischpat* used in the sense of an inherent right. In the Book of Job, Job at one point swears his innocence. He claims that all the suffering he must endure would be correct and just if his attitude and actions had been unrighteous, but he is innocent. This so-called oath of innocence is of high relevance for our understanding of the moral code of Ancient Israel because Job lists in it what his fellows would have considered clear transgressions of that code. Therefore, it is very revealing that Job mentions—next to deceit, adultery, and missing care for the poor—negligence toward his subordinates who, in his words, have a right to be treated properly: “If I have rejected the cause [Hebrew *mischpat*] of my male or female slaves, when they brought a complaint against me; what then shall I do when God rises up? When he makes inquiry, what shall I answer him? Did not he who made me in the womb make them? And did not one fashion

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6. At this point, I would like to distance myself from the remarkable suggestion of George Newlands to base a Christian human rights theory and practice on a Christology that emphasizes “the self-giving, self-dispossessing nature of divine reality as a pattern for human relationships” (George Newlands, *Christ and Human Rights: The Transformative Engagement* [Aldershot: Ashgate, 2006], 146; see also Richard Amesbury and George M. Newlands, *Faith and Human Rights: Christianity and the Global Struggle for Human Dignity* [Minneapolis: Fortress, 2008], 123). Despite the fact that Jesus’ example of “love as generous relationality” (Amesbury and Newlands, *Faith and Human Rights*, 158) undoubtedly can serve as an additional motivational push factor for Christians to engage in human rights, it should not be neglected that, for example, care for the poor has to happen not merely out of generosity but as a duty corresponding to a right of the poor person. The Old Testament notion of social justice was well aware of that.

us in the womb?” (Job 31:13-15). By including these words in his oath of innocence, Job gives an indication that the extension of rights to those on the bottom of the social ladder was part of everyday moral life in Ancient Israel and not only an idealistic claim of prophetic voices. At the same time, he gives the faith-based argument that founded that claim: slaves are human beings, created by the same God as those who happen to be their owners; therefore, because of this equal origin, they have rights that must be respected.

I will come back to this argument from creation in the next chapter because it is at the core of what we today call dignity. Before that, I would like to take a brief look at the law texts of the Old Testament. Those laws, found mainly in the books of Exodus and Deuteronomy, are another indication of the extent to which the rights of those in misery were taken seriously by those who imagined a better social order in a time of great social inequality. They acknowledge the inclination of those in power to subvert justice in their favour, and they put up a legal framework to keep that inclination checked in favour of those without power. This is done mainly in two regards: economic justice and judicial justice.

Economically, the Old Testament law departs from everyone’s right of subsistence. Usury is banned because of the spiral of debt it kicks off (Lev. 25:35-40); the sabbatical year (Ex. 23:10-11) and the remission year (Deut. 15:1-18) are installed in favour of the poor to give them an opportunity to catch up and avoid economic annihilation. There is a notion of basic needs that must be attended to, notwithstanding the rules of the market: “If you take your neighbour’s cloak in pawn, you shall restore it before the sun goes down; for it may be your neighbour’s only clothing to use as cover; in what else shall that person sleep? And if your neighbour cries out to me, I will listen, for I am compassionate” (Ex. 22:26-27).<sup>7</sup>

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7. The cloak may well be the last property of the impoverished neighbour. Carole Fontaine’s observation that property rights “were probably the first and most important form of ‘rights’ that the Bible came to recognize” (Carole R. Fontaine, “The Bible and Human Rights from a Feminist Perspective,” in *The Oxford Handbook of Feminist Approaches to the Hebrew Bible*, ed. Susanne Scholz (Oxford: Oxford University Press, 2021), 21–36, at 30) must be seen in light of the fact that property was a necessary means to subsistence in Ancient Israel. “Given that family property (land, animals, tools, seed) in antiquity was so closely tied to the continued ability to exist in an agricultural society, it is indeed a ‘human right,’ almost on par with the ‘right to life’” (Scholz, *The Oxford Handbook of Feminist Approaches*). To defend such a kind of property right is a completely different thing from the claims of today’s real estate speculators who fear for their gain on investment.



A strong argument for economic, social, and cultural rights can therefore be made from these Old Testament texts.<sup>8</sup> And at least one core civil right is present in them as well: the right to a correct and impartial judicial procedure. The prophets and the law castigate over and over the perversion of justice in favour of those in power. The story of Naboth's vineyard (1 Kings 21) is a flagrant example of what was common at the time but also of how such a breach of law was seen by God and his prophets. No wonder, then, that the law texts once again take the standpoint of those who lack power and claim due process for them: "You must not be partial in judging; hear out the small and the great alike; you shall not be intimidated by anyone, for the judgment is God's. Any case that is too hard for you, bring it to me, and I will hear it" (Deut. 1:17); "You shall not deprive a resident alien or an orphan of justice; you shall not take a widow's garment in pledge" (Deut. 24:17).

It may be recalled here that the Old Testament was invoked as a source of political rights as well, when in the 16th and 17th centuries the so-called Monarchomachs brought up the designation of Saul, the first king of Israel, as a sign of God's willingness to accept the will of the people (1 Sam. 8–10).<sup>9</sup> It would be going too far to call Ancient Israel a democracy. Still, equal political rights are the logical consequence if one thinks of everyone as basically equal, as was the case in the concept of a just society drafted by the prophets and law writers of Israel. Political rights were not granted yet, but they lie at the horizon. And with regard to judicial and economic rights, we can go even further; they are duly proclaimed by the law, and the prophets of the Old Testament duly proclaimed them.<sup>10</sup>

The background of this proclamation is the same as it has been the whole time that human rights have been proclaimed throughout human history:

8. Berma Klein Goldewijk and Bastiaan de Gaay Fortman, *Where Needs Meet Rights: Economic, Social and Cultural Rights in a New Perspective* (Geneva: WCC Publications, 1999).

9. Friederich Lohmann, "Die Bedeutung des Protestantismus für die Menschenrechtserklärungen der Moderne," in *Religion, Menschenrechte und Menschenrechtspolitik*, ed. Antonius Liedhegener and Ines-Jacqueline (Werkner: Springer, 2010), 126–52.

10. The importance of rights within the Torah is also emphasized by David Novak ("The Judaic Foundation of Rights," in *Christianity and Human Rights: An Introduction*, ed. John Witte, Jr. and Frank S. Alexander [Cambridge, UK: Cambridge University Press 2010], 47–63). I would, however, challenge Novak for a somehow too communitarian view. The notion of creation, which is well represented in the sources (see the next chapter), implies an expansion of rights and duties from the local, religious, or ethnic community to all human beings, even all of creation.

in a social, political, and judicial world in which justice had been perverted by the powerful to become an instrument of oppression, the prophets recall to those in power another justice, an eternal justice which stands above the current practice of justice. “Ah, you that turn justice to wormwood, and bring righteousness to the ground!” (Amos 5:7); “Thus says the Lord: Act with justice and righteousness, and deliver from the hand of the oppressor anyone who has been robbed. And do no wrong or violence to the alien, the orphan, and the widow, or shed innocent blood in this place” (Jer. 22:3; to the King of Judah). This appeal to an ideal justice, over against any earthly authority, foreshadows the words of Peter in the Acts of the Apostles that since then have been repeated countless times by all those struggling against oppressive regimes, not least for human rights: “We must obey God rather than any human authority” (Acts 5:29).<sup>11</sup>

## Dignity

What is the conceptual source of the notion of equality and the right claims that we explored above? In Job’s oath of innocence, we found a hint to the common creation by God as the backbone of human equality. Indeed, this common creation has since become the focal point of all talk of human dignity as the root from which all human rights are derived.<sup>12</sup>

Usually, the qualification that God created humankind “in the image of God” (Gen. 1:27) is taken as the concrete biblical reference for the notion of human dignity. This long-standing argument, established in the first centuries of the Christian church<sup>13</sup> and with unquestionable positive impact on the development of the human rights idea in early modernity,<sup>14</sup> has its

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11. For this relativization of stately power by the Old Testament prophets and law texts as a revolution within the cultures of the Ancient East and as a precursor for the later human rights movement, see Eckart Otto, “Human Rights: The Influence of the Hebrew Bible,” *Journal of Northwest Semitic Languages* 25:1 (1999), 1–20.

12. See, e.g., the Preamble of the ICCPR: “Recognizing that these rights derive from the inherent dignity of the human person . . .” The link to the story of creation is explicitly made in the U.S. Declaration of Independence (1776), drafted by Thomas Jefferson: “. . . that all men are created equal, that they are endowed by their Creator with certain unalienable Rights . . .” Most human rights declarations, however, use more neutral formulations (Virginia Bill of Rights: “That all men are by nature equally free and independent, and have certain inherent rights”; UDHR, now including women as well: “All human beings are born free and equal in dignity and rights”).

13. Ulrich Volp, *Die Würde des Menschen: Ein Beitrag zur Anthropologie in der Alten Kirch* (Leiden: Brill, 2006).

14. Roger Ruston, *Human Rights and the Image of God* (London: SCM Press, 2004).

flaws, however. First, recent biblical scholarship established that it was, in its original context, thought as the description of a task of the newly created human being rather than as a description of its ontological status.<sup>15</sup> Second, the image-of-God metaphor has a long history of abuse as justification of human exploitation of their environment. This shows—third—that the formula is apt to be mainly understood as a metaphor of difference, saying that humanity represents a categorical other species than all other created beings, with a specific dignity granted only to humanity, from which the aforementioned exploitation of the environment can be justified.

If one wants to avoid these flaws, it seems better to conceive the biblical notion of dignity not based on Genesis 1:27. An alternative approach, which I would like to propose in this paper, is to derive dignity from the notion of creation in general. What does it mean to be created? This notion can be approached by looking at our everyday language. To create something is a different action from just producing something. If we speak of a creation, such as of a work of art, we want to say that what was created has a certain value in itself. It is not, as a machine that was produced, a simple means to a purpose. This relationship between creation and value comes also to the fore when we look at the distinction between a creation and a simple coming into being. What was created was created by someone; it is not the random outcome of some chemical reactions. Instead, it conveys purpose and value.

By exploring these two distinctions, we see that it is very apt to make a link between everything that was created and an inherent value and dignity conveyed to it. Psalm 139 is the best biblical reference to illustrate this relationship. The prayer speaks of the purposeful creation of the human being, culminating in the appraisal of the inner value thus conceived: “I praise you, for I am fearfully and wonderfully made” (Ps. 139:14a). This self-appreciation immediately leads to an appraisal of the whole of creation (“Wonderful are your works; that I know very well,” Ps. 139:14b), therefore showing that human dignity cannot be separated from the dignity of everything that was created by God. Human life is a gift of God, and so is the whole of creation.

The appraisal of the created world that we find all over the Bible is a clear indication of its dignity. A clear-cut distinction between the dignity of human beings and the dignity of the rest of creation, as it was for a long time

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15. Cf. Friedrich Lohmann, “Climate Justice and the Intrinsic Value of Creation: The Christian Understanding of Creation and Its Holistic Implications,” in *Religion in Environmental and Climate Change: Suffering, Values, Lifestyles*, ed. Dieter Gerten and Sigurd Bergmann (London: Continuum, 2012), 85–106.

put forward and justified by relying on Genesis 1:27, is not in the spirit of the biblical writings. Rather, one should speak of gradual increments in dignity between the different species.<sup>16</sup>

If something or someone has inner value, it is a logical consequence to associate rights with this value. The world of creation has a basic right to exist, and it is an echo of the intrinsic value of creation when, in the second biblical creation story, “God took the man and put him in the garden of Eden to till it and keep it” (Gen. 2:15). The first task of humankind is to keep the garden existing. This means that human transformations of the created world are not generally excluded: they need justification and should be executed in the most cautious way possible. For humans as self-conscious beings, the right to exist, as it comes with the notion of creation and dignity, involves many more rights than for nature in itself. We have seen in the biblical references presented in this chapter how, already in a time when human rights discourses were thousands of years away, the notion of a common and equal dignity of all human beings—notwithstanding their social status, wealth, gender, ethnic affiliation, or physical condition—brought upon religious, moral, and legal claims to transform the social order of the time into an order based on the notion of each human being as an equal holder of rights.

With its theology of creation as a purposeful gift, the Bible contains a valuable foundation for the notion of dignity, be it human dignity or the dignity of the whole of creation, and therefore an inspiration for today’s rights discourses.

## Individual Responsibility

Human beings, as self-conscious animals, can be addressed by moral claims and obligations. The ascription of human rights therefore comes with duties. “With freedom come responsibilities.”<sup>17</sup> Human rights declarations usually do not speak much about duties, because in their historical context they were answers to situations of oppression which made the statement of rights all the more important. It also would contradict the notion of an inherent dignity of the human being if these declarations started with the statement of duties, somehow implying that the inherent rights of human beings were dependent upon the fulfilment of duties. However, the language of duty and responsibility is not strange to them as, for example, in Article 29 of the UDHR.

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16. Lohmann, “Climate Justice.”

17. Nelson Mandela, *Long Walk to Freedom* (Boston: Little, Brown and Co., 1995), 751.

The biblical writings correspond very well with this way of dealing with the relationship between rights and duties. There are numerous stories of people who were morally corrupt and still addressed by Jesus, clinging to their inherent dignity. Zacchaeus, who was mentioned above, is an example; despite his shamelessly self-enriching behaviour in the past, Jesus reassures that “he too is a son of Abraham” (Luke 19:9) and therefore keeps the right to be treated with respect and dignity. Zacchaeus’ repentance comes only after Jesus addressed him; it was not a precondition for the love with which Jesus encountered him. With this unconditional attitude, Jesus follows his “Father in heaven; for he makes his sun rise on the evil and on the good, and sends rain on the righteous and on the unrighteous” (Matt. 5:45).

Freedom, as the choice between good and bad attitudes and actions, is part of the human condition. “See, I have set before you today life and prosperity, death and adversity” (Deut. 30:15). Everyone is the creator of his or her life and therefore responsible for the consequences. The message of the prophet Ezekiel in Ezekiel 18 shows that, for some time, the notion of a collective, at least family-wise, familial responsibility must have prevailed in Ancient Israel. Ezekiel’s message, however, is clear-cut individual responsibility: “The person who sins shall die. A child shall not suffer for the iniquity of a parent, nor a parent suffer for the iniquity of a child; the righteousness of the righteous shall be his own, and the wickedness of the wicked shall be his own” (Ezek. 18:20). This idea of individual responsibility is predominant in the New Testament, be it in the teaching of Jesus or in Paul’s epistles. “For all of us must appear before the judgment seat of Christ, so that each may receive recompense for what has been done in the body, whether good or evil” (2 Cor. 5:10).

We see, therefore, that the primacy of rights before responsibilities, the complementarity of both, and the primacy of the individual over against collective identities, as they commonly are features of the human rights discourse, find strong support in the biblical writings.

## **Conclusion**

This chapter tried to show the profound correspondences between the human rights discourse and the biblical narrative. There seems to be overwhelming evidence that rights talk in its current configuration can be founded on notions and observations that are a decisive part of biblical theology. In addition, historically speaking, biblical references were an important factor in history when pushing forward the idea of human rights.

Still, it must be said that the Bible is not the only source when it comes to conceptual support for human rights activism. Human dignity or the gift of creation are important notions in other holy scriptures or worldviews too. The same is true for the idea of an eternal order of justice which prevails over the judicial systems in place, in all their imperfection, even corruptness. It would be, therefore, a misunderstanding to take this chapter as an attempt to prove some kind of superiority of Christianity when it comes to human rights. Rather, the intention was directed toward the Christian community of churches itself. Even if we are far away now from the resentment with which human rights ideas and activities were greeted by the churches in the past, there still is no consensus regarding many aspects of human rights in the churches. In this situation of disagreement, a fresh look at the biblical sources may reveal the common ground on which all Christians stand today.



## Biblical Perspectives for Universal Rights Today

Jochen Motte

More than 70 years after the adoption of the Universal Declaration on Human Rights in 1948, the notion of universal human dignity and human rights is still debated and questioned—not only by states but even within religious communities, including the churches. Today, multilateral institutions to protect human rights are under pressure; many states openly or under cover contradict and violate basic principles of human rights with oppressive actions and legislation, shrinking the space of civil society and threatening the lives of human rights defenders.

With this background, theological reflection and discussion seems to be required to explore whether there are convincing or even irrefutable arguments and reasons for churches in the ecumenical movement to advocate for human rights from a Christian perspective and to firmly reconfirm the notion and concept for universal indivisible human rights to protect human life and dignity. In this chapter, biblical traditions will be reviewed with regard to the meaning of law, justice, and righteousness for Christian faith and Christian ethics. From these traditions, it is argued that striving for justice and peace from a biblical perspective has to be inseparably interrelated with advocacy for legal universal frameworks and mechanisms to protect and enable all people, but especially those who are the most vulnerable, to live a life in dignity.

### **The 1948 Universal Declaration as Response to a Contextual Historic Challenge in View of More than 55 Million Victims of Genocide and Global War**

Human dignity and human rights belong together and are indivisible. It is not by chance that the Universal Declaration of Human Rights was passed by the United Nations (UN) on 10 December 1948, only a few years after the end of the Second World War with more than 56 million dead, the murder of 6 to 7 million Jews, and innumerable other criminal acts.

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 million-fold abasement and degradation of people 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 opinions, national or social origin, property, birth, or other status.

In view of the present challenges facing the world community more than 70 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 the international human rights system. It seems necessary to continue to reinterpret these and to develop them further in response to the prevailing threats to human dignity and human rights encountered in recent years, with growing pressure on the international human rights system and increasing oppression of civil society and human rights defenders in many countries with the rise of authoritarian regimes, populism, and nationalism. These trends have become even more manifest under the COVID-19 pandemic, where growing repression has been experienced in a number of countries justified under COVID-19 protection legislation and regulations.

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 . . .

And then:

**Now, therefore the General Assembly proclaims this Universal Declaration of Human Rights . . .**

Article 1 starts: “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 the states. Today, the responsibility of private business has also

become part of the human rights discourse, with the objective to expand legal responsibility for the protection of human rights in private business.

Nevertheless, it is still the key responsibility of the states to establish the rule of law and to maintain it. While in the past civil and political rights have often been played off against economic, social, and cultural rights, or vice versa, it also has to be emphasized that human rights are indivisible and that both dimensions of rights depend upon each other. Human rights in general comprise protection rights (such as life, liberty, security), freedom rights (such as religious freedom, freedom of opinion, freedom of assembly), social rights (such as right to food, right to adequate housing), and rights to participation (such as in politics and the economy).

Human rights defenders have always emphasized that it is essential to maintain absolutely the universality and inalienability of human rights whenever any attempt is made to relativize them since all these attempts—from their perspective—weakens the position of victims and increases the chances of perpetrators to escape accountability.

In view of the mentioned pressure on human rights as a universal framework based on the adoption of the Universal Declaration in 1948, and in a world torn apart, with millions of victims of human rights violations calling for justice and dignity, it is a relevant question to the churches whether they see a common responsibility to promote and advocate for human rights not only on particular cases and rights—such as freedom of religion—but as a whole.

Churches therefore should at least engage in theological reflections to discuss and clarify from their different regional, cultural, and denominational backgrounds whether they have a common faith-based understanding, a common responsibility, a common vision to promote and protect human dignity and human rights as a unique global legal framework which is in place to ensure and protect human dignity and rights of every human being on this planet.

## **The Ecumenical Movement and Human Rights: 1948 till Today**

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 (WCC), which was

able to exert direct influence on certain formulations of the declaration through its Commission of the Churches on International Affairs.<sup>1</sup> 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 Bloc 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 rediscovered their own traditions and learned to read them in a new way. In the 1970s and 1980s, on the background of liberation and the anti-apartheid struggle, it seemed that churches, especially in the ecumenical movement, considered human rights advocacy as a contribution in accordance with the core message of the good news of God's revelation in Jesus Christ. In 1977, Emilio Castro, who would become general secretary of the WCC from 1985 to 1992, pointedly expressed this idea:

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.<sup>2</sup>

From the 1990s till today, it seems that human rights are still on the agenda of the WCC, which through its commission addresses multiple conflicts and human rights violations, but that common sense among churches about

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1. Jerald D. Gort, "The Christian Ecumenical Reception of Human Rights," *Mission Studies, Journal of LAMS* XI:1 (1994), 76–107.

2. Emilio Castro, "Editorial: Human Rights and Mission," *International Review of Mission* 66:263 (1977), 215–19.

the universal principles of human rights can no more be presumed and that human rights as a core element to safeguard justice and dignity also seem to vanish from the ecumenical agenda.

In view of the mentioned pressure on the human rights system as a whole, growing repression against civil society and human rights defenders, and old and new challenges to human rights—such as regards economic injustice, racism, climate change and climate justice, rights to health in the context of the COVID-19 pandemic, rights of migrants and refugees, rights of minorities and Indigenous people—it would be regrettable if churches, based on their own identity, traditions, and spirituality, would not find a common answer in contributing to protect and promote human dignity by defending and strengthening the notion of universal human rights.<sup>3</sup> This answer so far: it is faith based in Christian belief that must be founded and grounded on biblical perspectives.

### **“Let Justice Roll Down”: Biblical Perspectives on Liberation, Justice, and Righteousness in the Contexts of Love, Mercy, and Compassion**

In Christian discourses on human rights, there have been various theological entry points to legitimize or respectively to embrace universal human rights from a Christian perspective.<sup>4</sup> While the Catholic Church often refers to the concept of natural rights, Protestant traditions embrace dignity based on the creation of men and women as image of God. Besides different biblical and dogmatic perspectives on human rights in relation to the covenant between God and human beings, biblical perspectives on liberation theology, and Christological perspectives on human rights, there are also scholars who consciously reject approaches to legitimize human rights from a Christian

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3. The need for theological reflections and discussions on human rights had been evident and was expressed much more visibly in the 1970s–1980s than today. As an example, see *How Christian Are Human Rights? An Interconfessional Study on the Theological Bases of Human Rights*, ed. Eckert Lorenz (Geneva: Lutheran World Federation, 1981). “On a proposal of the WARC representatives of seven confessional bodies began meeting 1978 for an interchange of ideas on the theological bases for human rights” (8). As part of this process, Lorenz introduces the results and contributions from a theological conference in 1980 conducted by the Lutheran World Federation.

4. Sarah Jäger, “Zur Theologie der Menschenrechte. Positionen und Perspektiven,” in *Eine Theologie der Menschenrechte. Frieden und Recht*, Vol. 2, ed. Sarah Jäger and Friedrich Lohmann (Berlin: Springer, 2019). 22–38. Sarah Jäger. in her article. outlines various existing theological models founding human rights.

tradition but argue to reason human rights within a secular framework or even reject entirely the notion of human rights. Those following this line often argue that law in the Bible as a particular God's law cannot be equalized with modern secular international law.

In view of the fundamental role of law in connection with liberation and covenant tradition in the Old Testament as part of God's revelation to Israel, the following paragraph will outline that there are valuable traditions for a biblical rights perspective which connect the notion of justice inseparably with the notion of law as a necessary legal framework to protect human dignity, especially to protect the most vulnerable people in society. At the same time, this law given by God also draws the lines of responsibility not only to individuals but also to state institutions and their representatives and demands individual accountability from those violating the law.

This dimension of responsibility of persons toward God and toward persons appears in Genesis 1 to 3, where Adam and Eve act beyond the laws and fences God has drawn, followed by Genesis 4, where Cain kills his brother, Abel. There God makes Cain responsible for the killing of his brother but at the same time, in God's judgment (no death penalty, but excluded from his home), the punishment is clearly defined and calls the community into responsibility (they are prohibited from touching or killing Cain). While in Genesis 1 to 4, justice and righteousness appear in the context of God's creation and the relationships between God and people, God and creation, people and God, people and people, people and society, and people and creation, the second book of the Pentateuch introduces the dimension of law in the context of liberation and covenant.

The God of the Bible as encountered by Israel is a God who reveals himself to his people as a God who liberates from slavery and leads his people into freedom on the way into the promised land.<sup>5</sup> On the way out of slavery through the desert, the liberating God of Israel reveals laws and legal statutes for a life in freedom, and with the gift of land at the same time he cares for

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5. Sven van Meegen, "Menschenrechte – Gottesrechte. Eine dynamische Entwicklung der Gerechtigkeit im Alten Testament," in *Menschen – Rechte, Theologische Perspektiven zum 60. Jahrestag der Proklamation der Allgemeinen Erklärung der Menschenrechte* (Berlin: Lit Verlag, 2008), 11f. Van Meegen emphasizes that for Israel it is specific—different to other peoples, where creation is the basis for the world order—to inseparably interconnect the Exodus with the understanding of justice. See also Friedrich Lohmann, "Gerechter Frieden und Menschenrechte. Entwurf einer Theologie der Menschenrechte," in Jäger and Lohmann, *Eine Theologie der Menschenrechte. Frieden und Recht*, Vol. 2, 70f.

the material foundation for a life in community with God and other human beings.<sup>6</sup> It is not through violence and terror, but through justice and peace, that Israel and Christianity shall become “a light to the Nations” (Is. 49:6).

It is remarkable in this context that the Old Testament law is oriented particularly toward the well-being of the weak to be the yardstick for justice and righteousness.

In other words, these general norms for justice and law are in line with what today is categorized as economic and social human rights. Women and children, in so far as they are widows and orphans, are included among the groups of persons to be given special protection. “Thus says the Lord: Act with justice and righteousness and deliver from the hand of the oppressor anyone who has been robbed. And do no wrong or violence to the alien, the orphan, and the widow, or shed innocent blood in this place” (Jer. 22:3). People are to love the stranger. “When an alien resides with you in your land, you shall not oppress the alien” (Lev. 19:33). God will give justice to those who live in injustice. “He shall defend the cause of the poor of the people, give deliverance to the needy and crush the oppressor!” (Ps. 72:4).

“But let justice roll down like waters, and righteousness like an ever-flowing stream.” These words of the prophet Amos (5:24) express God’s just intent for a social community called to a life in freedom. In this context, the representatives of the state, with the king at their head, and the elites 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 in the context of a change from an egalitarian nomad toward an ancient class society.<sup>7</sup> Almost 3000 years after

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6. This is also reflected in the intention of the commandments in Exodus 22:2-17, which in general aim at the protection of life in the freedom which has been granted by God. Compare Gisela Kittel, *Der Name über Alle Namen* (Göttingen: Vandenhoeck and Ruprecht, 1989), 120. Protection of the parents as vulnerable old people, respecting the Sabbath, which applies also to the slaves so that they are freed from work, prohibition of killing, protection of property by prohibition of robbery, prohibition of adultery with implications for social security, and prohibition of false testimony reflects the social dimension of the law which enables people to live in community with each other and with God.

7. Compare Amos 5:11-13. The turning aside of the needy at the gate reflects the corruption of the legal system since the gate has been the location where trials were held, and court rulings made by the judges.

Amos, these phenomena that exclude people and prevent a life in dignity are not new, even if they appear today in a global context.

Justice and righteousness from God's perspective are accompanied by the dimension of mercy and empathy. Where there is unjust ruling, where perpetrators are not made accountable and impunity is common, where the "the weak" and "the orphan," "the lowly" and "the destitute" and "the needy" get no right, jurisdiction and justice is expected from God (Psalm 82).<sup>8</sup>

Justice in this sense is not considered in the first place as a legal claim of the individual toward God but as ruling by God, which gives justice to the victims of injustice and violence and judges the perpetrators.

"The Lord upholds all who are falling, and raises up all who are bowed down" (Ps. 145:14). God's expected ruling in the context of these kings' psalms has universal and even cosmological character. "Rise up, O God, judge the earth; for all the nations belong to you" (Ps. 82:8). Or similar in Psalm 7:6-8: "Awake, O my God; you have appointed a judgment. Let the assembly of the peoples be gathered around you, . . . The Lord judges the peoples."

Injustice often includes a social dimension on the background of a growing gap between rich and poor, as expressed, for example, in the book of the prophet Amos. Wealth and luxury in connection with injustice and exploitation of the poor is condemned by the prophet. "Hear this word, you cows of Bashan who are on Mount Samaria, who oppress the poor, who crush the needy, who say to their husbands, 'Bring something to drink! Therefore because you trample on the poor and take from them levies of grain, you have built houses of hewn stone, but you shall not live in them'" (Amos 5:11).

A further characteristic of biblical legal traditions, which regulate the life of people before God, can be seen in the two dimensions of responsibility with collective and individual accountability. With regard to the latter, it is remarkable that the king, as an anointed person—Messiah—who is considered to be in ultimate proximity with God and who is the one responsible on earth to implement the law and uphold the rule of law, is subordinate to God's law

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8. See Bernd Janowski, "Die rettende Gerechtigkeit," in *Gerechtigkeit und Recht üben* (Gen 18,19). Studien zur altorientalischen und biblischen Rechtsgeschichte, zur Religionsgeschichte Israels und zur Religionssoziologie. Festschrift für Eckart Otto zum 65. Geburtstag, ed. Reinhard Achenbach and Martin Arneht (Leipzig: Harrasowitz, 2009) 368–75. Janowski, referring to Psalm 82:145, Psalm 145 and Psalm 146, points out that justice and mercy have come together in a unity where God brings about justice to the poor and oppressed.

and commandments. Therefore, in Israel its kings do not enjoy immunity, as many heads of state do today, but are subordinate to God's commandments and held accountable for breaking the law.

The story of King David, who commits adultery with Bathsheba and who by artifice gets rid of her husband Uriah—who is sent by David through Joab to the front lines, where Uriah dies in combat—exemplifies this individual accountability in the context of Israel's law and commandments (2 Sam. 11-12).

In the parable with which the prophet Nathan confronts the king, the social dimension of injustice becomes visible. The rich man in the parable, who owns a lot of cattle, takes the only sheep from a poor man living in his city when he needs to prepare a meal for a visitor (2 Sam. 12:1-4).

While in early biblical traditions the king as the messiah who is anointed with God's spirit represents the rule of God's law, in late traditions, as in the book of the prophet Zechariah, the messiah appears more and more as a transcendental eschatological figure different from any human ruler.<sup>9</sup> This messianic king, who is called "triumphant and victorious, . . . humble and riding on a donkey, on a colt, the foal of a donkey" (Zech. 9:9), will establish a global kingdom of peace. In Isaiah 32 a future king, as well as princes, is expected who will reign in righteousness and rule in justice (Is. 32:2). They stand in contrast to these words: "villainies of villains are evil; they devise wicked devices to ruin the poor with lying words, even when the plea of the needy is right" (Is. 32:7).

Similar to this type of eschatological messiah and king in Isaiah, in the so-called God servants songs, the future hope is expected by a person different to a human ruler or king, without secular insignia of power (compare Is. 51:1-4): "He will bring forth justice to the nations" (Is. 42:1); "He will not grow faint or be crushed until he has established justice in the earth" (Is. 42:4). In the contexts of the God's servant songs, again the dimensions of liberation and universality are present as well. "I am the Lord, I have called you in righteousness . . . I have given you a covenant to the people, a light to the nations, . . . to bring out the prisoners from the dungeon, from the prisons those who sit in darkness."

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9. See Hartmut Gese, *Vom Sinai zum Zion. Alttestamentliche Beiträge zum Alten Testament* (1984) 139ff. where Gese shows that the Messianic expectations as reflected in the Messiah proclamations in prophetic traditions from the time when Israel does no longer exist as state are transcended into an eschatological perspective.



From the perspective of the mentioned messiah and God's servant traditions, where justice and peace are expected no more from a secular king but from a person—who on the one hand is seen in an extremely close relationship with God and his will and on the other hand is disconnected from secular insignias of power—Jesus from Nazareth has been perceived as the true messiah and king by the New Testament witnesses (Matt. 1:23; ref. to Is. 7:14; Phil. 2:5-11).

Jesus of Nazareth, Son of God, messiah, and king who represents the nearby kingdom of God, is born in a context of poverty at the margins of society in a stable in Bethlehem, discovered by people from the margins, the shepherds from the field (Luke 2). Through Jesus, God encounters people with empathy and love. He is the true image of God and God's will for his people. Through his death and resurrection, Christians 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 (Gal. 3:28). The sanctity of all people and their inviolable dignity from the New Testament perspective is grounded in Christ and in relationship with him.

It is regrettable that Christian tradition has distinguished biblical scriptures by labelling them as “old” and “new” and characterizing the old with the so-called law and the new with the gospel. These traditions tend to connect traditions of justice and law with sin and guilt, separating them from liberation and justification. In the Lutheran tradition, these antagonisms have led to the so-called doctrine of the two Kingdoms (*Zwei-Reiche-Lehre*), discrediting human law as a necessary means to prevent the fallen world with human sinners from chaos.<sup>10</sup>

When we look at the life of Jesus and some of his parables in which he shares the reality of the kingdom of God, there seems to be no evidence to discredit the meaning of the law as revealed by God in the context of liberation. Jesus, through his life, preaching, and actions, in the context of the law of Israel and Torah, called upon people to base their attitudes and actions toward their neighbours on empathy and love. The parable of the good Samaritan (Luke 10:25-37) may exemplify this relational ethics based

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10. Compare Carl E. Braaten, “Toward an Ecumenical Theology of Human Rights,” in *How Christian Are Human Rights?* ed. Eckert Lorenz (Geneva: Lutheran World Federation, 1981), esp. 47–49. Carl E. Braaten there concludes: “The co-mingling of law and gospel and as well as the confusion of the two modes of divine activity have disastrous consequences for theology and the church” (48).

on compassion. A Samaritan who came along the way and saw the victim of a crime lying in his blood gave help in spite of the barriers of nationality and religion, while those from the victim's religious community—while even not violating the law—passed by.

Although Jesus, in answering the question “Who is my neighbour?” through the parable, does not refer to questions about the legal requirements for stipulating failure to render assistance, about laws needed to protect people or prosecute the robbers or even to establish a health and ambulance system, this does not in any way lead to the conclusion that law as revealed by God in the context of liberation has become irrelevant to Jesus.

The story of the Samaritan only underlines that justice and rule of law are not abstract values but founded in the context of God's love for his people. Therefore, law and legislation in the Christian tradition cannot be separated from the dimension of love and mercy in view of the neighbour, their vulnerability and dignity, which need to be respected and protected.

Jesus' parables and life place the meaning of law into a subjective context from where it has to be viewed and reviewed. Human law and legislation in the perspective of the Jesus traditions must be questioned, reviewed, and renewed from a personal relational perspective of love and compassion and inclusiveness. In John 8, Jesus responds to the Pharisees who are asking Jesus to interpret the law in view of a woman who committed adultery. Although Jesus does not propose a law reform, he challenges the law by calling upon those who are without sin to throw the first stone.

Through his life and message, Jesus directs his followers to act mercifully and in a healing and inclusive way toward their neighbours, especially the weakest and most threatened and marginalized members of the community, to protect them and give them back their dignity. Jesus' teachings often have been viewed as contradicting the law, but instead they only reinstate law as revealed in the context of the liberating God who, in compassion with his people, has paved the way toward a life in freedom in community with him, in community among his people in the promised land. The law in that sense reflects the divine will and intention for inclusion where justice and peace can be enjoyed by all people, and those who tend to be marginalized shall enjoy God's mercy through his law and commandments.

## **Conclusions: Biblical Perspectives on Human Dignity and Universal Human Rights**

The biblical traditions from the Old and New Testaments on law, justice, and righteousness provide a number of reasons and perspectives to reconfirm, support, promote, protect, and further develop universal human rights as an indispensable framework to protect human life in dignity and to restore the dignity of those who have been marginalized or even extinguished.

*Law founding in contexts of liberation and post-genocide  
—Exodus and 1948*

It is remarkable that the revelation of the law as reflected in the Pentateuch takes place in a context of liberation from slavery and discrimination. The people of Israel are liberated by a God who leads “his people” into fullness of life in the promised land and at the same time reveals a framework of legal fences which shall enable the people of Israel to live in freedom.

“I am the Lord, your God, who brought you out of the lands of Egypt, out of the house of slavery. You shall . . .” (Ex. 20:2).

The law is provided when lawlessness and slavery have been overcome. The key intention and criteria for the law which also leads to concrete legislation is the well-being of the people at the margins, the strangers, the widows, and the orphans. Although modern universal human rights as reflected in the universal declaration from 1948 have been established in a different global, religious, and cultural context, it is remarkable that the historical situation of Exodus and 1948 is a post-genocide and post-totalitarianism context where people have been enslaved, have been deprived of their rights, have been terrorized, and have been entirely marginalized or even been extinguished.

*Vulnerable people at the margins as a benchmark for law giving and protectional legislation from a biblical perspective*

Act with justice and righteousness and deliver from the hand of the oppressor anyone who has been robbed. And do no wrong or violence to the alien, the orphan, and the widow, or shed innocent blood in this place. (Jer. 22:3)

The alien, the fatherless, and the widow are synonyms in biblical traditions for those who are the most vulnerable within the Israelite society. With the stranger, human beings who are not members of the people of Israel are

also granted protection. In a globalized society, global legal boundaries as introduced by universal human rights shall ensure that, despite nationality, every human being, especially those who are the most vulnerable and weak enjoy the right to life, the right to food, the right to health, the right to education, the right to a healthy environment, and so on. Although the Old Testament law in principle has been revealed and applied to the people of Israel, and although the responsibility for the implementation of universal human rights today is the responsibility of states, the general benchmark of law and legislation as protection for the poor and marginalized gives reason from the Christian perspective to strongly advocate for universal rights to safeguard the dignity of all people, especially those whose dignity and rights are denied and obstructed.

*The victim perspective as motivation and obligation for Christians today to advocate for universal human rights*

In different biblical traditions, lack of justice is related to those who have no rights or those whose rights are neglected or even denied. From this victim perspective, justice and just ruling is expected finally by God or a person different to a human ruler who is in a close and transcendental relationship with God. “But with righteousness he shall judge the poor and decide with equity for the meek of the earth” (Is. 11:4). “Give justice to the weak and the orphan, maintain the right of the lowly and the destitute” (Ps. 82:3). Jesus answers the question “Who is my neighbour?” by pointing to a victim of violence who is lying in his own blood on the ground in the parable of the good Samaritan. Introducing the pagan who shows compassion and takes the necessary steps to restore the wellbeing and dignity of the victim points in the same direction and stays in the tradition where justice is expected for the meek: “Love your neighbour as yourself” (Luke 10:27).

From these biblical traditions on the expectation of justice for the poor and vulnerable, the weak and the injured, and even those being killed, Christians have not only reason to but are obliged to advocate from a victim perspective for human rights which are granted to all people as a promise and hope but also as a legal obligation, especially toward victims of injustice, violence, and oppression. Human rights from that perspective are not the ultimate or final answer to restore justice to all victims but, with their founding in 1948 in the historic context of innumerable victims of genocide and war, they draw a bottom line for all states and nations, which can no longer be deleted, to protect the dignity of every human being.

*Collective and individual accountability as part of the understanding of biblical perspectives on rights and the rule of law*

Within the Old Testament are law traditions which respond to social and structural injustice. Leviticus 25 introduces regulations on land redistribution and release from slavery and forced labour. After 50 years, when the jubilee year has come, these regulations shall come into effect. “And you shall hallow the fiftieth year and you shall proclaim liberty throughout the land to all its inhabitants. It shall be a jubilee for you: you shall return, every one of you, to your property and every one of you to your family” (Lev. 25:10).

In Deuteronomy 15:1-2, the seventh year of the Sabbath is transformed from a year of rest into a year where debts are released. “Every seventh year you shall grant a remission of debts. And this is the manner of the remission: every creditor shall remit the claim that is held against a neighbour.”

The jubilee and the Sabbath-year legislations in Leviticus and Deuteronomy again reflect the intention of the law revealed by God in the context of liberation to protect life in dignity for all, especially those who have been marginalized by economic developments. The jubilee year and the Sabbath year intend to overcome a growing gap between rich and poor through redistribution of wealth. In modern terms, the jubilee year and the Sabbath year, as introduced in Leviticus 25 and Deuteronomy 15, respond to certain forms of structural violence which take place within the given economic system.<sup>11</sup>

While the jubilee year responds to a changing society with a social and economic system leading to poverty, slavery, and oppression, the law does not prohibit the selling of land in principle. Violation of God’s will and law in the context of Leviticus 25 takes place if the jubilee year, with its requirements,

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11. Compare in this context Exodus 22:25, where a ban on interests is introduced. “If you lend money to my people, to the poor among you, you shall not deal with them as a creditor; you shall not exact interest from them.” In the same context in Deuteronomy 14:22-29, a social tax is introduced: “Every third year you shall bring out the full tithe of your produce for that year, and store it within your towns; the Levites, because they have no allotment or inheritance with you, as well as the resident aliens, the orphans, and the widows in your towns, may come and eat their fill so that the Lord your God may bless you in all the work that you undertake” (14:28-29). Compare as well the history of legislative traditions: Frank Crüsemann, *The Torah: Theology and Social History of Old Testament Law* (Minneapolis: Fortress, 1996), 228–30. Crüsemann points out that the Sabbath year in Deuteronomy 15 does not describe a utopia. The reference to the Sabbath year in Nehemiah 10:32, according to Crüsemann, proves that this legislation has also been practised in the context of Israelites history. The Sabbath year “was an integral part of Torah” (230).

would not be applied. Then the question of responsibility is at stake; within the Old Testament traditions, it is not the structure or system but Israel as a whole and individuals who are made accountable by God—regardless of whether they are ordinary people or anointed representatives of God for his people. The examples of Cain (Gen. 4) and David (2 Sam. 11-12) have been mentioned in this context. “Where is your brother Abel?” (Gen. 4:9). Law, therefore, from a biblical perspective has to be approached through relationship—relationship between God and people, people toward people, and people toward the environment. Without individual responsibility based on relationships with those called our neighbours, from a Christian perspective any understanding of law and rights remains insufficient and abstract. In Jesus’ speech on the final judgment in Matthew 25, this relational understanding of justice in connection with mercy is reflected in a radical way: “. . . for I was hungry and you gave me food, I was thirsty and you gave me something to drink, I was a stranger and you welcomed me, I was naked and you gave me clothing, I was sick and you took care of me, I was in prison and you visited me” (Matt. 25:35-36). From this relational understanding of what is ethically expected, or even demanded, fundamental laws and legal boundaries, but also mechanisms of accountability, have to be viewed and developed to protect the dignity and life of human beings and to hold to account those who violate human rights and human dignity.

Therefore, from the Christian perspective, cultural, social, and economic structures should be constantly reviewed under the crucial criteria of whether they lead to exclusion by marginalizing, oppression, or even extinction of people and therefore demand legal protective actions by states or by the international community where states are not in a position or fail to do so.

At the same time, biblical perspectives on individual accountability provide strong arguments to include advocacy for the establishment and maintenance of independent institutions and mechanisms of accountability for individuals who are to be made responsible for human rights violations. Since state institutions often fail to produce justice (Amos 5), and since justice and righteousness offer universal perspectives for life in justice and peace in the biblical tradition, there are strong arguments from biblical perspectives that churches should consequently engage and promote the development of universal international instruments and mechanisms of accountability.

Although states today are the key actors responsible for guaranteeing universal human rights to their citizens, at the same time, churches—from the perspective of the mentioned biblical traditions—share responsibility for

strengthening and developing international mechanisms and instruments of accountability for states and state actors to protect the dignity of the weak and the needy wherever their lives and fundamental rights are threatened.

*Universality as a biblical dimension of God's will for justice and righteousness*

While God's law has been revealed in the context of liberation to Israel as the people of God, the expectation and hope for God to establish justice by just ruling and judgment is not limited to Israel but includes all people and therefore implies universal character: ". . . for he is coming to judge the earth. He will judge the world with righteousness and the peoples with his truth" (Ps. 96:13). This expectation is also reflected in Isaiah 2:4, among others, in the vision of the people's pilgrimage to Zion: "He shall judge between the nations and shall arbitrate for many peoples."

The universal biblical traditions on law and rule of law give reason to advocate from the Christian perspective for universal law setting and universal instruments for law enforcement—not in a sense that God himself, as in the quoted Psalm verses, is the judge and ruler, but with an understanding that it is in the perspective of this eschatological vision that justice and righteousness shall become a reality to all people. Therefore, advocating for universal human rights from the Christian perspective is not replacing the vision for eschatological justice but instead is a witness to the world rooted in the vision of God's will of justice for all people.

*Rights, mercy, and compassion as inseparable dimensions of the Christian perspective engaging in human rights promotion and protection*

From the biblical perspective, especially from New Testament Jesus traditions, creating an antagonism between gospel and law seems to contradict and discredit the positive life-enabling and life-protecting function of the law as revealed in the context of liberation. The Jesus traditions nevertheless reiterate this function of the law by emphasizing that the law is there to serve and protect the people, and not vice versa (Mark 2:27). In this sense, Jesus, through his compassion and action, puts people first. The parable of the Samaritan exemplifies this attitude. Although Jesus does not introduce new legislation from his life and actions, it becomes obvious that based on love and compassion, especially for those who are lost, weak, and marginalized, the law shall protect human life and dignity. The blessings in the Sermon on the Mount, followed by the so-called antithesis, which radicalize the

meaning of the law, ultimately reflect the inseparable connection of law and mercy. “Do not think that I have come to abolish the law or the prophets; I have not come to abolish but to fulfill” (Matt. 5:17). Therefore, from the Christian perspective, advocating for human rights cannot be done only by academic reflection on the law but always has to embrace the dimensions of compassion and mercy toward those who need the utmost protection. This comprehensive perspective can only be realized based on relational and personal encounter with those Jesus calls our neighbours.

*Inclusion of people from the margins as goal and benchmark for law giving and rights development*

As outlined above, social law in Old Testament’s biblical traditions reflect the intention to protect vulnerable people and to enable them to live in dignity—liberated from slavery, in the promised land where milk and honey flow (Ex. 3:8).

Since law, justice, and righteousness from the biblical perspective cannot be separated from the notions of mercy and compassion, any law setting and development, promoted from a Christian perspective, aims at inclusion. Jesus’ traditions, especially his parables, radicalize the perspective of mercy and compassion and call upon his followers to change their perspectives, to embrace the neighbour, and to overcome barriers and borders which prevent inclusion. Jesus touches the untouchable in Matthew 8:1-4. Jesus cares for the entire community until all have received food (Mark 8:1-9; Matt. 14:13-21). Jesus changes his response from rejection to inclusion to the cry of the Canaanite woman who is not part of the people of Israel to heal her daughter (Matt. 15:21-28). In the parable of the lost sheep, Jesus shares about a shepherd who does not accept even the exclusion and loss of one sheep out of 100 (Matt. 18:12-14). Jesus rejects the exclusion of the children by telling his disciples, “Take care that you do not despise one of these little ones” (Matt. 18:10). In the parable of the good Samaritan, Jesus introduces a story of inclusion—bringing the victim of violence back to life—through a pagan.<sup>12</sup>

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12. See Jochen Motte, “Biblical and Theological Perspectives on Inclusive Communities,” in *Inclusive Communities and the Churches: Realities, Challenges and Visions*, Documentation of the UEM International Conference in Stellenbosch, South Africa, November 2014, ed. Jochen Motte and Theodor Rathgeber (2016), 21–35, [https://www.vemission.org/fileadmin/redakteure/Dokumente/JPIC/VEM\\_Buchtitel\\_Inclusive\\_Communities\\_and\\_the\\_Churches\\_2015\\_Druck.pdf](https://www.vemission.org/fileadmin/redakteure/Dokumente/JPIC/VEM_Buchtitel_Inclusive_Communities_and_the_Churches_2015_Druck.pdf).



In view of these stories and parables, it would be insufficient to draw conclusions only for an individual ethic of “loving your neighbour” (grace of charity). From the Christian perspective, law setting, and law development based on a holistic view of the meaning of law in biblical traditions nevertheless always will start from a (and later relate back to a) relational dimension of love and inclusiveness. It then necessarily needs to engage in building strong boundaries, enabling people to be part of the fellowship, communion, and society and to prevent especially the weakest ones from exclusion and marginalization. Therefore, from the biblical perspective promoting global universal fences of law, the rule of law with mechanisms of accountability must consequently be an inseparable part of church ethics and church actions toward justice and peace. From this perspective, churches may engage as well in the promotion of the Sustainable Development Goals—for example, Goal 16, calling upon states to “promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.”<sup>13</sup>

### **Closing Remarks: Universal Human Rights as an Integral Part of Advocating for Justice, Peace, and the Integrity of Creation**

Since the founding of the WCC in 1948, the same year that the Universal Declaration was adopted, human rights have been on the agenda of the WCC and especially its Commission of the Churches on International Affairs. It seems today that there is a need to remember this history and to re-emphasize the interconnectedness between churches’ commitment and advocacy for justice and peace and the promotion of universal human rights from biblical, theological, ethical, interconfessional, interregional, intercultural, ecclesiological, and even an interreligious perspective.<sup>14</sup> This has become an even more urgent need in view of new challenges humankind is facing.

13. See <https://sdgs.un.org/goals/goal16>.

14. Compare, e.g., the Final Statement of the Conference on World Mission and Evangelism, “Arusha Call to Discipleship,” from 13 March 2018, which calls upon people to join the pilgrimage for justice and peace in view of a violent world where millions are excluded and marginalized. It is striking that in the entire document, there is no reference to international law and universal human rights. This might be an indication that on the one hand, the trust in international law is diminishing, but on the other hand, a consensus among churches on universal rights can no longer be taken for granted. <https://www.oikoumene.org/resources/documents/the-arusha-call-to-discipleship>.

One of the most pressing challenges today is the destruction of the global environment by an economic system which depends on exploitation of people and nature, is not sustainable, generates innumerable human rights violations, and causes the extinction of thousands of species every day. Churches advocating for economic justice have strong reason to engage in the development and establishment of universal laws and regulations making business legally accountable for human rights violations and for operations and productions which are not sustainable and destroy people and the earth.

This development goes along with climate change and its devastating consequences, which require safeguarding the rights of those people (such as through the right to a healthy environment) affected by the consequences of climate change and make those accountable who bear the responsibility for CO<sub>2</sub> emissions from the past to today and in the years ahead. The debate to establish the right to a healthy environment points in this direction.

Churches, even more far reaching, from their perspectives on creation have reason to engage in and contribute to a discourse on the establishment of a rights framework which includes respectively the “rights of nature and earth” and “mother earth” as demanded, among others, from Indigenous people around the world.<sup>15</sup>

The COVID-19 pandemic as well as digitization and artificial intelligence, with new threats for human rights, are further global challenges which might require reformation and/or the creation of new legal universal institutions, conventions, and instruments to protect people. Further challenges, such as the shrinking space of civil society in many regions and countries, growing intimidation and threats against human rights defenders worldwide, increasing pressure on human rights through nationalism, authoritarianism, populism and extremism on national levels, together with growing pressure on multilateral institutions such as the UN with the Human Rights Council,

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15. See the “The Wuppertal Call,” in *Kairos for Creation: Confessing Hope for the Earth. The “Wuppertal Call” – Contributions and Recommendations on Eco-Theology and Ethics of Sustainability*, ed. v. Louk Adrianos, Michael Biehl, Ruth Gütter, Jochen Motte, Andar Parlindungan, Thomas Sandner, Juliane Stork, and Dietrich Werner (Geneva: WCC Publications, 2020), 9–12, <https://www.oikoumene.org/resources/documents/kairos-for-creation-confessing-hope-for-the-earth-the-wuppertal-call>. See also Jürgen Moltmann, *Gott im Projekt der modernen Welt. Beiträge zur öffentlichen Relevanz der Theologie* (Gütersloh: Gütersloher, 1997), who in 1997 demanded the need to establish the “right of the earth” (114).

fundamentally threaten the international order.<sup>16</sup> There seems to be an imminent risk today of falling back into a state of anarchy and lawlessness, reminding us of what has been described in the book of the prophet of Amos and what humankind experienced in the years before 1948.

In view of the widening gap between rich and poor, the accumulation of wealth in dimensions as never seen before, churches' strong engagement within the WCC for an economy of life and for climate justice needs to always include rights-based advocacy for strong and effective legal universal binding conventions, rules for global governance structures, and mechanisms of accountability which are equipped, mandated, and obliged to work for an inclusive global society where dignity and rights for every human being will be granted and preserved.

From the biblical perspective—what this article was about—there are strong arguments for churches, congregations, and each Christian to do the same and to advocate for universal rights as an integral part of striving for justice, peace, and the integrity of creation so that all people “may have life, and have it abundantly” (John 10:10).

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16. Zeid Ra'ad Al Hussein, UN-High Commissioner on Human Rights (2014–2018), in a speech delivered in Sweden on 28 November 2017, described the present critical global situation: “Human rights face a stress test today. And the pressure is upon us. We face a bare-knuckled, multi-directional brawl about the legitimacy and necessity of rights. With the departure of the World War II generation, and the dimming of memory, the growing unknowing as to why this rights architecture came to exist in the first place, means a decisive moment will soon be reached. We will need to mobilize a much larger community to defend our collective rights. And we must do quickly if we are to preserve the Universal Declaration.” <https://rwi.lu.se/2017/11/28/not-dare-tell-human-rights-not-universal>.

## No One Is Disposable: A Biblical-Theological Foundation of Human Rights

Martin Junge

Those were extremely hard years. The military coup of General Augusto Pinochet established itself with brutal violence in my country, Chile, which had previously gone through a period of strong political and social tensions.

The order established by the military regime was imposed with fierce repression. Political parties were banned, and leaders and members of opposition parties were persecuted, forced into exile, tortured, or assassinated. The same fate befell leaders of social movements and organizations, including churches. Anyone who criticized the regime was considered an enemy. And whoever was considered an enemy had no place in the new political, economic, and social project that the military dictatorship set out to develop. The marginalization of the opposition through repression was part of this project, a collateral effect, as it was referred to later as a way of justification.

The perverse logic was thus imposed according to which it would be necessary and inevitable to sacrifice individual and collective rights. It would therefore be legitimate to repress, torture, and eliminate people—and this only to make a political project viable. Human lives were subjected, and many sacrificed, for the sake of a new, evolving so-called patriotic goal. This new vision for the nation, however, was built on the exclusion of some of its citizens. In the eyes of those in power, some of them became disposable.

Thus, the state, which by definition is responsible for establishing a framework of law that protects the individual and collective rights of people, ended up usurping them. Abandoning its role as a guarantor of rights, it became a perpetrator of abuses.

Is there anything to protect the individual when a nation, society, or community finds itself in such a totalitarian and exclusionary drift? To what or to whom can people turn when they find themselves confronted with the powers of the state, subject to that abysmal asymmetry of power, and therefore absolutely defenceless?

## **The Universal Declaration of Human Rights**

Awakening from one of these nightmares in which totalitarian regimes again had turned against their own citizens, the international community of states adopted the Universal Declaration of Human Rights in 1948.

It was a response to the bloody violence experienced during the two world wars, and in particular to the brutality with which Adolf Hitler's Nazi regime pursued its hegemonic project that included the deliberate annihilation of Jews, Roma, and homosexuals, among others. And a bit further east, the horrors perpetrated by the Leninist and Stalinist regimes offered the same compelling reasons for the international community to seek agreements to protect human lives from recurrent totalitarian drifts.

Thus, human rights were adopted. For the first time in history, the Universal Declaration of Human Rights formally established and crafted into a framework of rights the principle that every person enjoys the right to be treated equally, regardless of race, ethnicity, nationality, class, caste, religion, belief, sex, gender, language, sexual orientation, gender identity, sex characteristics, age, health, or other status. This constitutes an inalienable right, which every legitimately established legal order has the obligation to recognize and guarantee.

I continue to believe that the adoption of the Universal Declaration of Human Rights represents a milestone in the history of humankind. It embodies the impressive advance in the expression of deep moral convictions shared by the human family, now expressed in a legal framework, that guarantees some fundamental rights to every human being and obliges states to protect them. Human rights became that higher instance to which even states can be held accountable, including their own legislation and jurisprudence.

Today, I see with concern the constant undermining of this historical achievement—not only by totalitarian states and leaders who historically have had little regard for human rights, but also by nations once considered exemplary in the promotion of human rights. The treatment that people seeking refuge and protection are receiving by some governments today is a sad example of this hidden but permanent undermining of human rights.

The increasing attempts to curtail their universal claim by putting legislation in place that subordinates human rights to national law is another sad example. It represents a frontal attack on the very intention of human rights and how they should hold states accountable.

More than an achievement, therefore, human rights remain a task.

## Human Rights and Faith

The human rights framework is the resounding response to the nightmare experienced by much of humanity during the period of the two world wars, a resolute “never again” that went beyond a simple act of declamation but ventured to set a binding framework of law for the international community.

Their adoption, however, represents a culmination of a continuous development, the origins of which go back even centuries before they were adopted.<sup>1</sup>

One of these roots is to be found in philosophy, particularly in Greco-Roman Stoicism and later in the philosophers of the Enlightenment and Idealism, who declared that every person owns an inherent dignity resulting from what these philosophical currents established as constitutive of their humanity; the use of reason and the capacity to make rational decisions.

The development of the concept of natural law and its implications (freedom, property, and so on) also had a decisive influence on the formulation of human rights.

The question of whether the Judeo-Christian religion should be considered as another root that led to the development of human rights remains controversial.

I believe that a cautious approach is advisable; as I intend to show in what follows, there are indeed direct lines of connection and clear correspondences between Christian faith and human rights. Thus, for example, the idea of a special, unique, inalienable dignity of the human being, a basic precept around which human rights evolve, is a core belief in Judeo-Christian thought.

At the same time, a self-critical view is advisable; there were periods in which churches looked askance at some of the precursor ideas to the formulation

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1. A concise overview of theological issues in a historical perspective around human rights can be found in Christine Schliesser, *Zur Theologie der Menschenrechte, Positionen und Perspektiven* (Zurich: University of Zurich, 2019), [https://www.zora.uzh.ch/id/eprint/162119/1/Zur\\_Theologie\\_der\\_Menschenrechte\\_Positionen\\_und\\_Perspektiven.pdf](https://www.zora.uzh.ch/id/eprint/162119/1/Zur_Theologie_der_Menschenrechte_Positionen_und_Perspektiven.pdf).

of human rights and the anthropological definitions they proposed.<sup>2</sup> Once adopted in 1948, a great deal of work was needed to articulate their theological foundation and to foster their acceptance and inclusion by the churches.<sup>3</sup>

Faith convictions indeed represent both a context and a breeding ground on which the development of what later became the human rights framework evolved. However, churches have taken up the human rights framework in a rather reactive way, despite the substance Christian faith provides.<sup>4</sup>

A cautious approach is also advisable given the universal character and claim of human rights, as well as the broad consensus on which it rests, including among other religions. “Welcoming the Stranger,” a statement underlining the basic interreligious agreement about the sanctity of life and the need to protect those seeking refuge, may stand here as one example for this deep shared consensus across religions.<sup>5</sup>

In what follows, I will set out the biblical-theological elements that offer the most evident points of connection between faith and human rights and thus demonstrate the affinity that exists between them.

## The Bible and Human Rights

I remember, from those hard years in my country, a small booklet produced by an ecumenical organization whose aim was to highlight the affinity between faith and human rights. The booklet carried the title *The Bible and Human Rights*. Each page was divided into two columns: on the left

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2. This is particularly true for the French Revolution, which set out to express some of the philosophical convictions mentioned above and is definitely a precursory milestone in the way toward the formulation of human rights. The distance of churches is partly related to the strong anti-clerical mindset and actions that became an integral part of the French Revolution.

3. In the ecumenical setting, it is the 5th Assembly of the World Council of Churches in Nairobi (1975) which dealt extensively with the thematic of human rights, taking up disperse processes that had already taken place before that Assembly. In the Catholic Church, it was the Pope John XXIII's 1963 Encyclical *Pacem in Terris* which paved the way for a positive approach to human rights.

4. Some of the controversies and discussions are well captured in the Susan Durber, *Putting God to Rights: A Theological Reflection on Human Rights* (Christian Aid, 2016), [https://www.christianaid.org.uk/sites/default/files/2017-08/putting-god-to-rights-report-june-2016\\_0.pdf](https://www.christianaid.org.uk/sites/default/files/2017-08/putting-god-to-rights-report-june-2016_0.pdf). I regret the choice of the title of this publication, which is in no way helpful for its declared intention to support churches to recognize the strong links between faith and human rights.

5. See <https://www.lutheranworld.org/content/resource-welcoming-stranger>.

were the 30 articles of the Universal Declaration of Human Rights, one after the other, and on the right, as a commentary, some biblical verses that have a direct connection with the article in question.

The connection between the two is striking, sometimes even reaching almost textual similarities between the biblical passages and some of the articles of the declaration.

The message of the ecumenical publication was unequivocal, as it demonstrated the strong correlation between the biblical texts and the Universal Declaration of Human Rights. For those churches under strong political pressure by the military regime, because of their defence of people whose human rights were being abused, the booklet demonstrated that the churches were right to raise their voices and that they were doing so in full coherence with the biblical witness.<sup>6</sup>

In retrospect, however, and exposed to other debates related to human rights, I have recognized that the line of argumentation followed by the publication has its risks. While it identifies the undeniable correlation between Christian faith and human rights, its literal approach, equating biblical verses with specific articles of the Universal Declaration of Human Rights and removing them from their historical, cultural, and theological contexts, represents a double-edged sword.

Indeed, we know that this very approach is used by those who wish to demonstrate the exact opposite and who question, with biblical verses in hand, the general validity of the human rights framework for God's plans of salvation, and consequently for the church and its vocation in the world, or who deny human rights to persons or groups to whom specific biblical verses refer in pejorative terms and whom they harshly condemn.

Consequently, a Christian foundation of human rights cannot be limited to the collection of biblical verses. It must enter the field of hermeneutics and theology to produce the evidence that human rights do not contradict faith convictions but take them up, expressing them—thus my proposition—within another framework of reference and using for these purposes another

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6. See an excellent overview of the role of evangelical churches opposing military dictatorship and engaging with human rights: Miguel Angel Mansilla, Juan Sepúlveda, and Luis Orellana, "Cuando el opio se rebela: La Confraternidad de Iglesias (Evangélicas) en su crítica a la dictadura militar y su proyecto de sociedad (1981–1989)," in *Revista de Ciencia Política* 35:2 (Chile: Pontificia Universidad Católica de Chile, 2015), 327–45, [https://www.scielo.cl/scielo.php?script=sci\\_arttext&pid=S0718-090X2015000200004](https://www.scielo.cl/scielo.php?script=sci_arttext&pid=S0718-090X2015000200004).



nomenclature—those of the public space (see below, Human Rights: A Commitment and a Field of Action for the Church).

## **Human Beings: Created in God's Image**

Undoubtedly, one of the most profound links between Christian faith and human rights is the biblical reference to human beings as created in the image and likeness of God (Gen. 1:26ff). Sometimes with different nuances, all theological traditions and Christian denominations share this fundamental fact of theological anthropology.<sup>7</sup> It results in the view that human beings are endowed with an inalienable dignity and value by the mere fact of being a creature of God.

This theological argument, based on the Old Testament account of creation, finds an important and necessary extension through a New Testament approach and its references to the new creation in Christ. This Christological approach does not diminish or undo what the creation account postulates regarding the human being as created in the image and likeness of God; instead, it deepens this message by emphasizing the equality of all persons in Christ and the secondary status of all difference because of this belonging to Christ (Gal. 3:26-28).

From a Lutheran perspective, within which I place myself while offering these reflections, it is important to add the fundamental postulate of Lutheran doctrine, justification by faith through grace alone, which, from another angle, reinforces the same message of the incommensurable value of human beings and of each individual for what they constitute in the eyes of God and whom God recreates through the merits of Jesus Christ.

Indeed, Reformation, with its strong emphasis on the *extra nos*, hence on God's actions and gifts that come from outside of the realm of humankind and human action, constitutes another fundamental step in the development of the notion that human beings own something as inalienable value, which is not the result of any work or doing. It is therefore not at the disposal of human beings because its origin is in God. Human dignity is a gift that escapes appropriation or, worse, denial. It cannot be stripped away.

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7. Among the debates is the question how much of that image is still present after the original sin and whether humankind is even able to opt for the good or is bound to fail, given its fallen nature. These questions have implications on the connection one may draw between the *imago Dei* and the human rights discourse.

From this biblical-theological understanding of human beings, three aspects emerge that find their correlation in the conceptual framework on which human rights evolve; each individual human being possesses an immeasurable, intrinsic, and inalienable value; there is a fundamental equality among all human beings because of this gift that is common to them, and the existence of bonds of solidarity that arise from the condition they share.

## **No One Is Disposable; No One Is Dispensable**

This last aspect, solidarity, is especially evident in God's clear priority, predilection, and concern for the dispossessed, the marginalized, the impoverished, and the oppressed. The biblical witness is unequivocal regarding this "preferential option for the poor," as liberation theology called it, popularizing this biblical approach in the theological narratives of the contemporary church.

In the Old Testament, it is the voice of the prophets that raises awareness among the people of Israel, reminding them of their special responsibility to protect all people in vulnerable situations and denouncing all arbitrary acts that violate their rights and their very lives (Amos 5:24; Jer. 22:15-16; Is. 29:20-21). The prophets leave no doubt; God does not tolerate injustice and arbitrariness that tramples and crushes human lives. Instead, God rejoices where individual and communal life flourishes in a *shalom* that embraces all dimensions of well-being and includes all people.

The gospels present Jesus firmly rooted in this prophetic tradition, repeatedly surprising his own disciples with his radical outreach to people considered marginal and provoking discomfort and resistance from the politico-religious powers (Luke 5:30). Announcing the in-breaking reign of God, Jesus deliberately subverted what powers-that-be defended as the natural order of things (Mark 3:1-6).

Examples abound of this solid and decisive witness by which Jesus confronted a logic of exclusion on which the social, economic, political, and religious order was based. The parable of the lost sheep (Matt. 18:10-14) emphasizes this with unmistakable firmness: in the kingdom of God, one is the most important number. Where a single sheep is lost, the community of the 99 breaks up and ends up wrecked, losing all its meaning and legitimacy.

It is of utmost importance to include this biblical feature, the predilection of God for the broken, oppressed, marginalized, and poor, when referring to the correlation that exists between the biblical testimony and the human

rights framework, especially when one hears repeatedly the criticism that human rights would place human beings at the centre of all things, an anthropocentrism that would not be compatible with the centrality and supremacy of God over all of God's creation, endowing human beings with rights that would not belong to them.

This criticism seems to forget that it is God, revealed in Jesus Christ, who places this emphasis on human beings and particularly on the marginalized, oppressed, and violated individual person. It is God who admonishes those in power to uphold the law and its intention to protect lives. It is God, in and through Jesus Christ, who questions all orders that operate on the principle of the exclusion and the oppression of people as well as the subjugation of their rights. Such orders are—in the light of God's inbreaking reign as revealed in Jesus Christ—a calamitous disorder.

For God, every life counts and every life matters. For God, there are no disposable lives.

## **God Becomes a Person and Gets Involved in the World**

With the above, we address a third line of argument that is fundamental when establishing the link between Christian faith and human rights; the incarnation of God in the person of Jesus Christ (Phil. 2:5-8, John 1:14).

This fact is important in a double sense. First, because it points to a radical reevaluation of human beings. Through Jesus Christ, God rescues humankind from its ways of (self-)destruction. By grace, God leads human beings back to paths that have their horizon in God's promises for the entire world. God transforms them to recognize themselves, their neighbours, and the world around them as created by God and, with the help of the Holy Spirit, to align their steps and actions toward this reality revealed by faith.

This radical reevaluation of human beings offered by the theology of incarnation is essential for our subject. It counters the line of thought according to which it is not possible to establish a direct link between the theological understanding of human beings and the human rights framework because of the fallen nature of humankind (Gen. 3). Following this line of thought, the fall would entail the loss of the *imago Dei*. Therefore, so the argument goes, the link between human dignity, resulting from the *imago Dei*, and its formulation in a framework of positive law, the human rights, does not exist.

Such negative theological anthropology gives very little value to human beings and opens the gates for a denigrating treatment of human beings and even justifies it.

With God's incarnation in the person of Jesus Christ, fully human and fully God, the argument loses all meaning. God comes in person to the rescue of human beings, seeks every individual, to revalue their humanity, including their dignity that God confers onto all.

One of the biblical texts that very strongly underlines this aspect is the judgment of the nations (Matt. 25:31-46), which urges seeing Christ himself in all those human beings in need. Christ, tortured and killed on the cross by the powerful of his time, resurrected and brought back to life by the One who is above these powers, confirms the validity of this image and reiterates therefore that Christ dwells in the neighbour in need. The cross of Christ represents the violent human objection to God's inclusive project and God's love for each singular life; the resurrection, in contrast, is God's powerful message that rejects human sacrifice once and forever (Heb. 10:14).

The second significant aspect for the link between Christian faith and human rights that stems from God's incarnation in Jesus Christ is the decisive step God takes toward the world for its total transformation. In the person of Jesus Christ, God engages with the totality of God's creation, with the entire world, pointing it to what it is in its deepest sense and setting it on the path of transformation to finally become what it ought to be.

There is no planet B. This is true also for salvation; it is this world, not another, that the Triune God is leading into the reality of God's full and ongoing reign.

## **The Church's Participation in God's Holistic Mission**

From this Christological perspective, with its focus on the incarnation of Christ and on the cross and resurrection—as opposed to a logic that relies on exclusion, torture, and death as necessary to establish any human order—an important implication for the role of the church in the world emerges.

In missiological terms, it has become prevalent in the ecumenical arena to speak of God's mission, a concept that stresses the missional nature of the Triune God and sees the origin and ownership of mission in the missional

God.<sup>8</sup> This concept contradicts the notion that the church could have its own mission. The church participates in God's mission, and believers are called through baptism to get involved in mission to express it in today's world. The mission of the church is none other than the mission of the Triune God that it is called to incarnate.

Consequently, the church will follow that same dynamic revealed in the person of Jesus Christ, with its strong drive into the world, engaging it decisively and passionately to communicate the good news of the gospel of Jesus Christ.

Disregard for the things of the world is not an option for a church that knows about its calling to participate in what the Triune God initiated in this world and continues to do to this day. Nor is withdrawal from the world an option because it would mean withdrawing from what God is making and will bring to its fullness. The call of the church is to participate in God's mission; this call represents both the vocation and the task in the specific contexts where the church lives, with the people, situations, and structures of its time and place.

Along with this basic definition of mission, the reference to holistic mission has also imposed itself in current missiological discourse.<sup>9</sup> Again, based on what God revealed in Jesus Christ, this concept emphasizes a mission that is composed of three specific dimensions: the proclamation (and teaching) of the word, service to the neighbour in need (*diakonia*), and public advocacy for peace with justice and reconciliation. Together, these three dimensions configure the spheres of action for the church participating in God's mission. The church will preach, serve the neighbour, and advocate in the public space as it participates in God's transforming work.

From this perspective, issues of public life—in particular, all those that relate to justice, peace, and reconciliation—are part of the ministry of the church, as is service to those in need and the preaching of the word of God. These three dimensions are inseparable and vital for a church in mission.

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8. See relevant resources on the CWME web page: <https://www.oikoumene.org/what-we-do/commission-on-world-mission-and-evangelism>. See also Lutheran World Federation, *Mission in Context: Transformation, Reconciliation, Empowerment* (Geneva: LWF, 2004), <https://www.lutheranworld.org/content/resource-mission-context-transformation-reconciliation-empowerment>.

9. See Lutheran World Federation, *Mission in Context*.

## **Human Rights: A Commitment and a Field of Action for the Church**

From the above, it becomes clear that there are deep connecting lines between Christian faith and human rights. It is easy to recognize the correspondence between some of the fundamental faith convictions about the intrinsic sanctity and value of human beings and the need to safeguard and protect their life and their conceptualization in human rights. There is a correlation between what faith holds as the basic norms that guide the coexistence in community (the Ten Commandments are cited by many as another biblical element that offers an important connection with human rights) and what human rights establish as the moral framework for human coexistence and the resulting legal obligations for the state and its powers. There is an important congruence and a significant alignment between what faith discerns as God's overall will and the ultimate objectives of the human rights framework: to preserve and protect human life, enabling it to flourish fully, free from violence and oppression.

### **Distinguishing without Separating**

And yet, it is also important to stress that faith and human rights belong to different categories which are distinct from each other. It is important to maintain this distinction, thereby avoiding undue confusion between the word of God and the declaration of human rights; between this world as it is, given its fallen nature, and the world as it will come, given the Triune God's decisive action. However, this distinction should never lead to a separation and disconnection: both perspectives must be held together dialectically.

In Lutheran theology, this dialectic relationship is framed by the doctrine of the two realms, according to which God governs and cares for creation in two distinct yet intrinsically connected and congruent ways. The spiritual realm evolves around the gospel message of Jesus Christ and its good news of God's justification through Jesus Christ. At the core of the worldly realm is God's same care and concern, now expressed in God's will for justice and the establishment of orders that safeguard a peaceful life. Laws are part of this ordering care of God for its fallen creation, a way of preserving the world and life from destruction. Faith, as a relationship with God, becomes active in love, care, and concern for the neighbour.

Human rights come with this theological legitimacy. They express in the secular realm that same concern of God for the flourishing of all life, and they represent the instrument that avoids arbitrary oppression, denial of human dignity, and destruction of life.

Instead of constructing unhelpful hierarchies between God's laws and only human laws (human rights), a recourse sometimes used by churches to escape from the obligations stemming from human rights, it is important to keep both of these categories dialectically related to each other.

Human rights use the nomenclature of rights and create lines of accountability that refer to human organizations and structures. Human rights are indeed a human invention yet belong to the realm of God's reign in the secular space, safeguarding the life and dignity of all, a life in peace with justice.

Dietrich Bonhoeffer introduced a helpful category when speaking of the ultimate and penultimate things. He called churches to engage fully in the penultimate things, hence with the world as it is, while living out their baptismal vocation and waiting for the ultimate things to unfold by the action of the Triune God.<sup>10</sup>

There is no reason to become dismissive of human rights. Therefore, there is no way to place the church, which lives in this penultimate time, outside of the worldly realm, and hence outside of the sphere of human rights. In theological terms, the church, too, receives God's caring concern in both the gospel's message and in a framework of law that protects life while God perfects this world. Human rights are thus a natural commitment and a task for the church. Not only in view of the other, the neighbour out there in the world, but for the church itself, which lives under the word of God and in the world at the same time.

## **Defence of Human Rights: A Matter of the Churches' Citizenship in This World**

The church is naturally well equipped to carry out this task, both in view of its deep convictions of faith and because of the mission into which it is called. This is even more the case if the church understands its citizenship in the world and locates itself as an actor within civil society. As such, it will advocate for a public space that is open and inclusive and which allows for equal participation of all.

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10. *Ethics: Dietrich Bonhoeffer Works*, Vol. 6 (Minneapolis: Augsburg Fortress, 2004).

Based on the same distinction of the realms as offered above, the church will refrain from imposing its faith convictions on people of different belief, thereby always supporting both a public space and its legal framework that includes all people. Theocratic approaches in the church's participation in the public space need to be rejected in the same way as a withdrawal from its responsibility to participate and shape that public space.<sup>11</sup>

In its publication *The Church in the Public Space*,<sup>12</sup> the Lutheran World Federation offered the following guidance for the churches' public engagement:

- to assess public issues in participatory ways
- to build relationships of trust among all actors in the public space
- to challenge injustice
- to discover signs of hope
- to empower people in need

The human rights framework is the common language of the human family that articulates deep convictions of faith and translates them into an enforceable framework of rights applicable to all. It represents a privileged tool for the churches' engagement. It requires the church, its leaders, and its members to be "bilingual," understanding which language to use where and when, keeping distinctions without separating, thereby always upholding the fundamental conviction of faith that for God there is no disposable person.

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11. Heiner Bielefeldt, the Special UN Special Rapporteur on Freedom of Religion and Belief from 2010 to 2016, did extraordinary work in defining the relationship of religion and human rights, and defending its universal claim, such as by developing the notion of cultural overlap, which is pivotal in today's globalized world seeking to escape from colonial bondage.

12. Lutheran World Federation, *The Church in the Public Space* (2016–2021), <https://www.lutheranworld.org/content/resource-church-public-space>.





**Section 3**  
**Theological and Practical Perspectives**





Key Global Challenges for Churches  
Concerning the Protection of Human Dignity  
and Human Rights in Our Time:

Perspectives from the Thematic Group on Human Rights  
of the Conference of European Churches

Patrick Roger Schnabel, Elizabeta Kitanovic, and Sofia Caseiro

### **Global Challenges to Human Rights**

Though most of us had hoped—and believed—otherwise, humanity faces grave challenges today. This is no post-historic age. The geopolitical panorama is shifting rapidly, putting pressure on systems we relied on as stable and which were the basis for the peace that large parts of Europe enjoyed since the end of the Second World War and—to a much fuller extent—since the end of the Cold War. A new, peace-based, just and prosperous world order seemed possible, with democracy and the rule of law as the predominant political system, including an enforceable human rights system for all. In small steps, even the gross injustices of the global trade system, which is still purporting (post)colonial power structures, were being addressed from a human rights perspective.<sup>1</sup> The focus of many observers had already changed from the political and geopolitical to the new and profound—planetary—challenges for humankind, most notably climate change, the loss of biodiversity, and the accumulation of non-degradable waste in the biosphere, especially the oceans.

However, it did not need the Russian war against Ukraine to show that this “post-historical” view was based on vision, not reality yet. On the one hand, it was very much Eurocentric, or rather based on the experiences of the global North in its assessment of the global state of play. On the other hand, it ignored blinking warning signs such as the rise of nationalism, populism,

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1. See legislative initiatives to ensure human rights and environmental laws along the supply chain, in particular in EU member states and most recently on the EU level itself: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52022PC0071>.

and identity politics, aided by new and powerful ways of accessing, sharing, and using information (or misinformation and disinformation), which had already begun to change the scene even in stable democracies for several years now.

In the first part of this chapter, we will endeavour to highlight a few of these challenges in a cursory way.

### *Nationalism, populism, and identity politics*

While, after the end of the Cold War, many states strived to transform into modern democracies, the 21st century saw a return of more authoritarian approaches to national politics. There was no inevitable development toward more democratic, participative, and inclusive societies, but democracy was exposed as a fragile concept with strong competitors on the global scale:

- We have witnessed the influence and success of populist ideology in elections or referenda (Hungary in 2010, India in 2014, UK and US in 2016, and Brazil in 2018, to name but a few). Populism fundamentally questions the concept of pluralistic societies, aiming at imposing an artificial sense of homogeneity by drawing upon a fictional value system claiming to represent the sentiments of “the people,” whose voice has allegedly been suppressed by corrupt elites all along. This divisive narrative seems to have a very strong appeal for the electorate, even though, in practice, populists don’t show any clear compass of values at all but rather perform politics as an opposition to any existing order based on compromise and accelerate tensions within societies as a means of gaining, holding, and abusing power, mostly for the profit of their own leaders and their friends and supporters.
- However, the roots of the problem lie deeper, and election results bringing populist demagogues to power are just showing the tip of the iceberg. For some time now, within Western societies a rift between more traditional and more progressive worldviews has become apparent that seems to widen and strengthen the more extreme positions on the margins. While pluralism is based on the representation and balancing of different interests, identity politics in its different shapes emphasize distinction and resist defining a common ground: in society, centrifugal powers become stronger than centripetal ones. Public discourse is hampered by blame and

confrontation, increasingly putting opinion over fact and conviction over stringent argumentation. The belonging to a particular group gains precedence over the identity of a citizen of an inclusive society and state.

While proponents of populist agendas appeal to a fictional people or majority, proponents of identity politics build their case on a real or perceived marginalization of smaller groups or minorities. However, neither no longer strives to seek the common good or achieve complicated compromise, but rather opts for policies of division, which are increasingly fragmenting societies.

Interestingly, neither of these very diverse movements follows classic party lines but transcends the established political spectre. Populist agitation can be right or left; it represents more of a method, which can be used for nationalism, religious fundamentalism, and many more. Likewise, identity politics isn't the prerogative of certain objectively discriminated groups but can be used by all sections of society that have built a narrative on real or perceived exclusion or disadvantage.

So, while they come in different shapes, these political phenomena do have in common that they build on and strive for dissatisfaction, fear, and uncertainty by finding scapegoats in the other, whoever they may be: migrants, refugees, religious minorities, or a majority, or the so-called political class. Their common element is the more or less artificial creation of group identity ("we" as opposed to "they," the latter always posing a threat to the former by being different in general or by competing for scarce resources in particular).

Through suggesting simple solutions to deeply complex problems and by spreading false claims and disinformation, preferably using social media, populist discourse is probably the major threat to democracy and human rights today.<sup>2</sup> Populist agendas negatively affect people's behaviour and values and, in various situations, pose a threat to social peace and the constitutional foundations of the open society based on pluralism, discourse, and compromise. The changes in social climate are tangible even in what are seen as stable democracies, where it is (so far) only an aggressive minority that tries to push political agendas and shift boundaries of the acceptable, such as brutalizing language or twisting facts in public discourse.

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2. See Jordan Kyle and Yasha Mounk, "The Populism Harm to Democracy: An Empirical Assessment," The Tony Blair Institute, 2018, <https://institute.global/policy/populist-harm-democracy-empirical-assessment>.

While the COVID-19 pandemic seemed to have broken the rise of populism at least for a while, it also provided the ground for new movements that spread conspiracy theories and seek to further fracture society. Measures taken by states to mitigate the spread of the disease, in several countries enacted through emergency legislation, aggravated this problem. Limitations to fundamental rights, even when justified, cause fears about government arbitrariness, and in many cases legitimate doubts can and must be raised if the regulatory response—concerning rights such as freedom of assembly, family rights and access to health care facilities, freedom of religion or belief,<sup>3</sup> and others—did always strike the right balance between conflicting aims and fully respected the principles of necessity and proportionality as laid down in national and international law. However, to claim that democratic governments abused the pandemic to systematically erode citizen rights must be rejected, as recent reopenings of societies have clearly shown.

What impact the Russian war against Ukraine will have on a global scale has yet to be seen. On the one hand, the world has shown an unexpected unity in its rejection of this blatant breach of international law, its gross neglect of state sovereignty, and even many crimes against humanity committed in its course. On the other hand, not a few populists all over the world have expressed understanding for the war and used stereotypes from the populist textbook and toolkit to support it. Sadly, this must also be said about the Russian Orthodox Church.<sup>4</sup> While it remains to be hoped that the situation rejuvenates the global appreciation of the foundations of personal and societal freedom, there is a real danger that, if (partly) successful, the “strongman” ideology typical for populist discourse might also get a boost.

Likewise, the economic outfall of the war, including pertinent issues such as food security or inflation, might further tensions within societies worldwide and thus provide new arguments for populists instrumentalizing injustices and inequalities for their political purposes. Therefore, much

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3. In 2020, celebrating Abrahamic feasts like Easter, Hanukkah, and Ramadan was not possible or was possible in a very limited way.

4. The ROC is not an active member of the Conference of European Churches, as it has suspended its membership due to the fact that CEC—in accordance with its statutes—has accepted the membership application of the Estonian Orthodox Church, which the Moscow Patriarchate views as being its canonical territory. However, while it was apparent that this was not the only reason for the suspension (a disagreement about social ethics being a deeper root cause), the CEC has tried over the years to keep in touch in particular on the issue of human rights. However, this has not proven successful in the end. An overview on reactions from the CEC and its member churches can be found at <https://www.ceceurope.org/church-response-to-ukraine>.

depends on how the global community reacts—not only to the war itself but also to its consequences far beyond the region and political scope. It is clear that the victims of this war will be found within already marginalized groups everywhere, and there is real danger that their plight will further empower antagonistic forces.

Therefore, more than ever, the rule of law, democracy, and human rights needs protection. While some of the claims and concepts of populists and other enemies of the “open society” seem almost too ridiculous to be taken seriously, their successes prove them dangerous enough. We can note several cases in Europe, but also in different parts of the globe, where the rule of law and human rights have already been severely jeopardised.<sup>5</sup> The more successful demagogues are instigating fear and uncertainty in people, the less resilient societies prove against an erosion of their legal and moral foundations. Populists, who often style themselves as “men of the deed,” even bank on their contempt and outright rejection of allegedly weak concepts such as dialogue and human rights. By doing so, they even the playing field for worse.

### *War, violence, and terrorism*

Violent conflict brings out the worst in humanity. That is why Christianity has long struggled with an ethical-theological concept of just war and thereby contributed significantly to civilizing armed conflict through the rule of law even under its terrible circumstances. More recently, the ecumenical movement has come to endorse the concept of just peace as a radical alternative, rejecting violence altogether. At the same time, however, parties to formal war, but even more so to unregulated violent conflict and terrorism, struggle to free themselves entirely of legal bonds and deliberately strike where it hurts the most, regardless of ethical considerations.

Recent and current conflicts show a wide range of examples where human rights, not least freedom of religion or belief, were intentionally violated as an instrument of war. As a consequence, international jurisdiction has also become clearer and more substantial in outlawing and prosecuting such atrocities. The purposeful destruction of holy sites, to give just one example, has been recognized as a crime against humanity.

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5. The following articles provide interesting case studies: Amnesty International, “Defending Rule of Law in Hungary” (n.d.): DW, “EU Starts New Legal Action against Poland over Rule of Law” (22 December 2021), <https://www.amnesty.org/en/latest/campaigns/2020/09/hungary-rule-of-law>; Poland: <https://www.dw.com/en/eu-starts-new-legal-action-against-poland-over-rule-of-law/a-60220102>.



The Conference of European Churches has, over the past years, dealt with a number of such incidents in Europe and its neighbouring regions, from the destruction of Armenian graveyards by Azerbaijan over the purposeful dereliction of Greek Orthodox churches in the Turkish occupation zone of Cyprus to the dispossession of church properties in parts of the Balkans or genocidal attacks on religious minorities (such as the attempted eradication of the Yazidi people by ISIS) in the Middle East.

It is not by chance that we have chosen to highlight religious freedom while recognizing that all human rights come under pressure in violent conflict and that war crimes are committed, violating many of these rights as severely as religious freedom. However, our point here is a very specific one. Because in situations where fissures form in societies and groups start to fight one another, religious groups often come under particular pressure to take sides and become instrumental in accelerating such fights. It is therefore important for religious leaders and communities to become aware of this danger, act responsibly, and build and foster early and sustainable resilience against such instrumentalization. It is also very important for them to become aware of their own vulnerability and develop strategies to defend themselves. For this reason, awareness raising for religious communities on the issue of security has more recently become the focus of the work of secular and religious actors alike. In the second part of this chapter, we will look at some examples from the work of the Conference of European Churches together with religious and secular partners in this field.

### *New dynamics through media and communication developments*

Freedom of information is essential in democracies and for democracy itself. Yet, the way society consumes information has fundamentally changed with the emergence of social media available to (almost) everybody. This development provides both chances and challenges for human rights.

Many fundamental rights, such as freedom of opinion and speech, freedom of the press, and rights of political and cultural participation, depend on access to information. It clearly belongs to the pillars of a thriving democracy. This is why several human rights bodies, such as the European Court of Human Rights, have been considering access to the Internet “one of the principal means by which individuals exercise their right to freedom to receive and impart information and ideas, providing as it does essential tools for participation in activities and discussions concerning political issues

and issues of general interest.”<sup>6</sup> For the Internet has become one of the main means, if not the chief instrument, to access, consume, share, and disseminate information, with its importance rising by the day. It allows people to handle information without consideration for borders—as is explicit in Article 19 of the Universal Declaration of Human Rights; it also gives people a way to exchange and spread opinions as well as organize and mobilize civic movements. It thereby facilitates the democratization of opinions and information, a process considerably aided by the advent of social media. The Internet in general and social media in particular give every person a voice and a means to scrutinize their government, to form their own opinion, and to join the political and social debate on very different issues.

At the same time, these new forms of communication bring a fast track for spreading hate speech and misinformation. They are also in a certain tension with the traditional press: While the Internet can improve news-making by offering journalists a much faster and broader access to global information, more and more people see the Internet and social media as an easy alternative to classic media outlets. As people have all the possibilities literally at their fingertips, they consume information primarily through smartphones. Numbers of this preference go up as age goes down, with an emphasis on social media and easily digestible bits of information, to the detriment of direct news sources or quality journalism with in-depth background and analysis.

It is an illusion, however, that the Internet as we know, access, and use it establishes an unprejudiced source of objective information. It is crucial that we understand how the information we are consuming, especially through social media, is compiled. Because the companies responsible for these platforms use algorithms to identify, select, and deliver our *preferred* content, we all have our personal newspaper, daily, filled with such information as has been seen to reflect our personal choices based on previous internet usage. Research has shown that such filter bubbles, created by and within social media, are an obstacle to the construction of critical thinking by citizens and users.<sup>7</sup> “Filter bubble” is a term first introduced in 2011 by Eli Pariser

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6. Cengiz and Others v. Turkey, appl. nos. 48226/10 and 14027/11, judgment of 1 December 2015, §§ 49 and 52.

7. Caseiro, Sofia, “O impacto da inteligência artificial na democracia,” in *Anais de Artigos Completos, IV Congresso Internacional de Direitos Humanos de Coimbra: Uma visão transdisciplinar* (2020), 138, [https://1d377ddc-c8c5-41f0-a5fd-b32d17ff3e72.filesusr.com/ugd/8f3de9\\_a429c79395f342bbade32f7eff2188a.pdf](https://1d377ddc-c8c5-41f0-a5fd-b32d17ff3e72.filesusr.com/ugd/8f3de9_a429c79395f342bbade32f7eff2188a.pdf).

to describe this particular way content is directed to us according to existing preferences so that we are cut off from opinions and information that oppose our views and preferences and thus are intellectually incapacitated.<sup>8</sup>

In 2018, this issue preoccupied David Kaye, then UN Special Rapporteur on the promotion and protection of the Right to Freedom of Opinion and Expression. In his annual report, he alerted people to the dangers of the use of artificial intelligence (AI) in our access to truthful information:

Search engines deliver results for queries (and complete or predict queries) using AI systems that process extensive data about individual and aggregate users. Because poorly ranked content or content entirely excluded from search results is unlikely to be seen, the AI applications for search have enormous influence over the dissemination of knowledge. . . . Consequently, AI plays a large but usually hidden role in shaping what information individuals consume or even know to consume.<sup>9</sup>

Information literacy is essential, not solely for our understanding that there are hidden mechanisms that influence the type of information we receive, but also because such mechanisms—or our failure to understand them—facilitate the spread of misinformation. Misinformation, disinformation, and fake news are problematic in today’s society. Their spread can lead to the exponential growth of hate speech on social media but also on mainstream media. This is something we have been witnessing in different countries and also, more disconcertingly, during the pandemic.

Weighing chances and challenges, it becomes clear that social media in particular are tools—the question is only by whom and for what they are used. To make them our tools and apply them to our purposes, we need to understand how they work and how that can be of use to spread truthful information and to empower communities to claim and exercise their fundamental rights.

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8. Emerging technology from the arXiv, “How to Burst the ‘Filter Bubble’ that Protects Us from Opposing Views,” *MIT Technology Review* (29 November 2013), <https://www.technologyreview.com/2013/11/29/175267/how-to-burst-the-filter-bubble-that-protects-us-from-opposing-views>.

9. David Kaye, “Report of the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression” (29 August 2018), <https://undocs.org/A/73/348>.

Knowledge alone, however, does not always seem to suffice to counter the threats inherent to social media (ab)-use. Societies also have to consider how to enforce, through legislation and regulation, transparency; how to counter coordinated disinformation campaigns; and how to enforce penal law in the virtual space. This is a particularly delicate matter, not least from a human rights perspective, as it must be noted and considered that all legitimate ways of penetrating virtual spaces to enforce fundamental and other important rights can also be abused to close down safe spaces for human rights activists and other civil society actors by non-democratic governments.

It should therefore, first and foremost, be in the interest and responsibility of societies to claim and defend the virtual public space. This space can, like the public sphere more generally, be used and abused for a wide variety of purposes. More recent public movements such as Fridays for Future or Black Lives Matter show that groups which would most probably not have had an audible voice in the landscape of traditional mainstream media can now easily claim public attention and turn public opinion. But so can less charitable groups, which is the reason why information warfare has long invaded the realm of social media.

Digital literacy is, therefore, a cornerstone of responsible and beneficial Internet use. Seeing the long and strong tradition churches have in education, providing not just knowledge but ethical and moral orientation, this is a matter that certainly deserves their attention. The Conference of European Churches has, over the last years, taken up this issue in different contexts, from theoretical reflections on the fundamental right on freedom of opinion to practical training on how to discern hate speech from the legitimate exchange of conflicting views and becoming alert to consequent dangers evolving for religious groups.<sup>10</sup>

### *Multilateralism or multipolarism? The plausibility gap in the UN system*

Another challenge, which is partly interwoven with those sketched above, is a United Nations that clearly hasn't aged well but to which no better alternative has yet become apparent. In its current form, it was created in the aftermath and as a result of the Second World War, reflecting the power structures of a colonial world, recently reshaped by the emergence of nuclear

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10. For example, an analysis of social media activity concerning specific religious communities or sacred sites should be part of a thorough, preventive risk assessment as it is part of the SASCE programme by CEC and its interreligious partners in the EU.

power. It was (and is) fundamentally based on principles like national sovereignty and equality but with the notable exception that only the Security Council can take legally binding decisions, and to which access is limited

and within which an even more limited and exclusive number of permanent members—the official nuclear powers of that time—have veto rights.

This system—the best we have, but not necessarily a good one—is becoming increasingly criticized for a number of reasons. The Russian war on Ukraine, for example, shows the limits of a system in which an aggressor who is a permanent Security Council member can veto any action by that body, whereas the General Assembly does not have any power to enact legally binding resolutions in cases of crises with global impacts or of global scale. It is fair to say that this two-tier system of permanent Security Council members, as opposed to all other nations in this world, reflects neither the principle of state equality nor the economic power distribution in today's world, nor even anymore the actual distribution of nuclear military power that once gave shape to that order.

While this inequality causes frustration for many, especially emerging powers from the South, it is also an alleged overemphasis on state sovereignty and equality that can cause tensions. This has become apparent when states that are accused of and guilty of the worst human rights violations, even crimes against humanity, are chairing bodies such as the Human Rights Council because of rotation principles or when blatant violations aren't addressed because of political consideration.<sup>11</sup>

What is even more worrying, though, is that even the very principles on which the UN system rests, not least the Universal Declaration on Human Rights, are being questioned. In particular, the allegation that the thus enshrined human rights are not universal at all but reflect “Western” legal traditions, anthropology, and values is being brought forward by interested circles—mostly from states endorsing political Islam—whose protagonists propose to replace them with “culturally more appropriate” alternatives, such as the 2004 Arab Charter on Human Rights. In fact, of course, such documents are about neither decolonizing international law nor enculturating

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11. In fact, especially in the field of human rights, all attempts at reform have so far failed to produce satisfactory results simply because there is no majority of states supporting a neutral and powerful UN body to observe, investigate, report, and condemn human rights violations. The former UN Human Rights Commission has been dissolved for that reason, but the council did not bring about effective improvements.

the human rights agenda into non-Western traditions (which could both be understood as legitimate aims) but about limiting individual human rights. Such attempts, however feeble their arguments, do show the cracks in the very idea of a universal legal and institutional world order. The trend to fragmentation, for which nationalism, populism, or identity politics are a sign on the national level, is also visible on the international scene—and even more so, as the institutions at that level are much weaker.

The world has lost the relative stability of the bipolar order of the Cold War (which also came at a very high price for human rights), but it has not been replaced by a new, multilateral world order. Rather, it is breaking up into a multipolar order with shifting allegiances. Emerging powers like China seek to establish new dependencies, while the powers that still dominate the Security Council seem to be fighting a losing battle for the preservation of their position in the global arena. Sadly, Western or Northern powers have significantly contributed to the loss of plausibility and credibility of this system: not only by trying to preserve it in a state and shape that benefits their national self-interest rather than adapting it to global changes, but also by a considerable level of hypocrisy, in particular in the fields of human rights. If powers that claim to be the guardians of political liberalism, democracy, the rule of law, and human rights criticize only such states as are political rivals or of no economic interest but turn a blind eye to the same or worse violations if committed by their allies or states they have vested interests in, they fail to make a convincing case for a strong global human rights regime in the medium- and long-term perspective. The same holds true if such states frequently demand the persecution of human rights violations but refuse to subject themselves to international human rights jurisdiction.

## **Why Churches Must Become Human Rights Actors and How They Can Do This**

At the moment, sadly, it is becoming ever more obvious that the world has not yet found the strength and resolution to amend and improve its formal systems of organizing and limiting power in any of the above areas. In particular, the UN increasingly struggles to keep up some kind of order in the face of multiple and multi-layered challenges. For the context of this assessment, it is most important to note that not only is a weak and contradictory international human rights system problematic, but also the failure to address any of the other global challenges has a direct (and negative) impact on the protection of human rights. In particular, the ecological

planetary crises lead to a worsening of human security for many people.

Because not only do human rights need democracy and the rule of law to flourish, but they also need a material base. The destruction of our climate and environment deprives first and foremost the already underprivileged and marginalized of basic needs—and therefore rights. It is crucial, especially from a Christian perspective, to focus not only on the classic human rights—the political rights of freedom and equality—but also on second- and third-generation human rights. We need to advocate for an understanding of human life and relationships that is consequently rights-based. States do not only have to abstain from abusing power to limit political and civic rights, they also have to take responsibility for ensuring access to basic conditions for human development and security. Human rights must more generally come to be seen as an obligation not only to abstain from doing evil but also to do good.

For this to materialize, states—both on the national and the international level—need to recognize the contribution of civil society and of religious actors. The observation that space for civil societies is shrinking on a global scale is therefore extremely worrying. It would be a serious misunderstanding of human rights in general—and of second- (and third-) generation human rights in particular—that a state, even if benevolent, could take sole responsibility for their flourishing. In many cases, the state can and must provide a frame, but the frame needs to be filled by actors from within society. Therefore, the principle of subsidiarity must be taken more seriously, enabling non-state actors to make their contribution.

In the second part of this chapter, we will, therefore, explore why and how churches should become even more active as human rights advocates and actors.

### *The need for theological reflection and dialogue*

Churches are natural advocates of human rights, even though they have taken a long time to realize it and some still struggle with this insight. However, theological reflection and dialogue can deliver the necessary translation between, on the one side, the biblical understanding of men and women in their relation with God and one another and, on the other side, the secular concept of human rights. For the two share the same core: human dignity. By human dignity we understand the indestructible and indivisible property of all human existence, which Christians believe to be rooted in the act and fact of creation by God. It begins with conception and does not even

end with death, as even mortal remains are entitled to post-mortal respect because they are part of what was once a living, individual being, endowed with spirit and soul and the capacity to love and be loved. Simply by virtue of being created by God and in God's image, known or unbeknownst to themselves, every person must be perceived of as being wanted by God and treated accordingly! No one has the right to deny a person this respectful, even reverential treatment, and likewise no person can act in such a way that he or she could ever be regarded as having waived this right.

Of course, as evident as this testimony is to the believer, its practical application to the merits of individual cases must be subject to intensive reflection and exchange. Accepting God's choice to give humanity the freedom of choice between good and evil, for example, does not imply for us that we have to respect a person's choice of evil. We must love the sinner, but not the sin. Now, what follows from such distinction? Of course, penal law must seek to both punish and prevent repetition. But it must also seek to improve and rehabilitate, even in seemingly hopeless cases.

There are many other examples of how human dignity needs to be asserted in everyday life. The more vulnerable a person is to humiliation and maltreatment by others, or the more plausible possible justifications for such acts are, the more need there is to uphold the inalienable principle of human dignity.

All secular human rights—rights of freedom and equality and participation—derive from this same notion, albeit stripped of such transcendent origin they must be to be acceptable to all. For churches, though, it is important to remind the world of this origin, as “God,” even for a secular person, can be understood as a *chiffre* for something beyond human power. We can and must define what consequences to draw from the idea of human dignity in the very human social, political, and legal orders, but we must not deny their existence as beyond our human remit.

Thus, as churches discover the impact that the powerful message scripture has on living human life and relations, they can develop a strong theological case for human rights. The great variety of theology found in different traditions and denominations can enrich the pursuant discourse and help contextualize such understanding.



*The importance of education and training*

To understand is one thing; to act accordingly is quite another. In general, humanity does not suffer so much from a lack of insight but from a lack of application. So, having established the theological importance of human dignity, churches, religious communities and their leaders, and faith-based organizations must enable their followers to act upon this knowledge. Like with other aspects of Christian practice, this needs education and training.

Despite widespread secularization, especially in the global North, churches still benefit from a great trust many people place in them in the field of moral orientation and education. Unlike single-issue organizations like NGOs, churches have access to people at all stages and walks of life. They are represented at local and provincial levels, on the national and international stage, and—not least through the WCC itself—on a global scale. And they are well organized, from the parish or congregational level upward. They have the means to reach out to many people, which in turn have influence on others, such as teachers or political leaders. They can spread the word and create a strong net of multipliers for the cause of human rights.

However, it would underestimate the role of religion if churches were to be seen only as an organization among others, if with a unique structure. They are more: the appeal of their message is holistic. It has the potential not only to reach out to a great variety of people, but also to strike chords other actors in the human rights field cannot so easily play. They appeal not only to the mind, but also to the heart and soul. As they address and influence people's emotions, they can more easily bridge the gulf between understanding and consequent action. Religion is, above all, about healing relationships and spreading love, so the kind of empowerment it can provide is deeply rooted in the person.

Churches also have a long and strong tradition of teaching and can integrate human rights education in formats they already offer. While it may justly be seen as beneficial for churches to offer explicit fora for human rights, it is far more important that the message of human dignity finds its way into preaching and teaching in everyday religious life. It should also be well reflected in the way churches act in their communities and within society, as to act consistently is also very important for the churches' standing and reception by others. Likewise, their failure to live by their own standards can considerably weaken their capacity to reach out to and convince others.

*The role of advocacy and networking*

The church's mission in this world is to spread the gospel. There are basically two ways to do so. While pure theology (theological reflection in preaching and teaching) clearly has a missionary intention, applied theology (living the faith in Christian practice) also needs its content communicated. As these two forms must be seen as distinct but inseparable, Christian social ethics must have a missionary impulse too. Human rights advocacy is part of this wider endeavour.

To be successful communicators of their message, churches do not need only to have a clear message and powerful language, but also partners in those areas of life where the church is less well represented. The first step in building a strong and reliable network is, of course, ecumenicity. No church or denomination is represented everywhere, and the tendency toward a pluralization of societies makes the need for better inter-church cooperation even more apparent and pertinent. The second step is to seek alliances with all people of goodwill, regardless of their personal faith. Especially in the field of politics—and a lot of advocacy work is directed at the political sphere—religion does not play a role as such. International organizations such as the United Nations, the World Bank, and their associated bodies, or regional organizations such as the Organization for Security and Co-operation in Europe (OSCE), the Council of Europe, or the European Union are secular by nature. But they can be valuable partners in applying ethics that churches derive from their faith and mission.

In all this, churches will know that their work does not always have an immediate impact. While there are, thankfully, many cases in which the intervention of churches does improve the human rights situation of minorities or individual persons, a lot of work simply consists in monitoring situations, contributing to legislative processes, raising issues with authorities, and explaining all over again why churches become involved in this type of work at all. Especially education that aims at changing attitudes and behavioural patterns can take generations to have a visible effect.

*Practical examples from the work of the Conference of European Churches*

The Conference of European Churches has been dedicated for many years to engaging in such advocacy and training work. The annual Summer School on Human Rights<sup>12</sup> in particular provides a good and concrete example for how religious actors can go about this. Travelling through the different regions of Europe, the Summer School has taken up many issues relevant to both the host country and its pan-European constituency. It combines the following:

- exposure (such as visiting a refugee camp in Greece)
- spirituality (such as daily common worship reflecting on the respective theme from different theological traditions)
- academic work (such as case studies delivered by human rights experts from universities, legal practice, or international organizations)
- practical training (such as creating educational materials for congregations)
- networking (such as cooperating with international organisations, such as the OSCE or non-Christian interfaith dialogue partners such as the European Jewish Congress or Muslim organizations)

In general, the CEC executive secretary for human rights and the Thematic Group on Human Rights have always emphasized that human rights advocacy needs to be done through alliances with secular actors, in particular international organisations. The CEC's Church and Society Commission has been a strong advocate in the process leading to the proclamation of the EU's Charter of Fundamental Rights before 2000, and its human rights secretary has been active on the EU's Fundamental Rights Agency's civil society platform. At its human rights events, it has always sought to include representatives from the EU, the Council of Europe, the OSCE, and even the United Nations. Historically, the human rights work within CEC was—in the aftermath of the Helsinki Declaration—the only political issue that the Geneva-based pan-European ecumenical body could address during the Cold War. This experience helped a lot when, after 1990, closer cooperation with the Brussels-based Church and Society Commission was embarked on that finally led to the merger of the two organizations. It shows that human rights are at the core of ecumenical work in Europe.

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12. See <https://www.ceceurope.org/summer-school>.

The Human Rights Manual,<sup>13</sup> also produced by the Conference of European Churches, follows the same approach as the Summer School, as do a variety of shorter seminars and conferences, often held at the express invitation by a church or a number of churches which face similar challenges in their home setting. In the case of its Spanish member church, the CEC has explicitly supported the Protestant minority in a case (relating to a discriminatory national pension scheme for clergy) that even went up to (and was won at) the European Court of Human Rights.<sup>14</sup>

The CEC was also the only ecumenical organization in Europe that came up with an early statement<sup>15</sup> on how to evaluate the impact of restrictive COVID-19 containment measures on the fundamental right to freedom of religion or belief. In this statement, it said:

Because there has not been any comparable restriction of religious freedom or many other fundamental rights in modern times, and because these rights are usually seen as the legal backbone of our democracy and the rule of law in Europe the Thematic Group on Human Rights of the Conference of European Churches has closely considered the issues at stake. It came to the following reflections:

6. The current restrictions to fundamental rights, including FORB (Freedom of Religion or Belief), are therefore generally legal and acceptable from the perspective of human rights. The protection of the weak and vulnerable is also a very high value from a religious perspective and needs to be balanced against the need for community and gathering.

7. Whilst in times of persecutions, massacres and genocides, and even previous pandemics, churches have been places of refuge and consolation for many believers, it is important to acknowledge that the prohibition of assemblies, including services, are not meant as religious discrimination and persecution. At present this measure is intended to safeguard human lives, both of the believers and of other members of society.

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13. See <https://www.ceceurope.org/human-rights/education>.

14. *Manzanas Martín v. Spain*, Appl. No. 17966/10.

15. CEC Thematic Group on Human Rights, "Reflections on Freedom of Religion or Belief during the Fight against the COVID-19 Pandemic" (n.d.), <https://www.ceceurope.org/wp-content/uploads/2020/04/CEC-document-on-COVID-19-English-1.pdf>.

8. However, all restrictions of fundamental rights must have a legal base, be necessary, suitable, reasonable and generally proportionate in relation to the aim they serve and the right they limit. The principle of equal treatment, including the consistency of measures, must also be considered. In legal practice, these requirements give cause to complex assessments and complicated balancing, leading to decisions on a case by case basis.

In publishing such a statement, the CEC contributed to steering a debate from the emotional to the rational. In its assessment of the situation, it based its conclusions on the text of and judicature relating to international human rights law. It conceded that containment measures, in the midst of a hitherto unknown pandemic, do constitute a justification for restrictions even of centuries-old religious traditions, such as receiving Holy Communion with one spoon, as is done in the Orthodox traditions. However, it also highlighted the legal limitations to such restrictions, advocating for believers to respect the purpose while advocating for governments and courts to uphold the fundamental right itself and limit restrictions to the necessary and proportional in view of the purpose.

These examples may show the potential of churches to become human rights actors in their own right, not dependent on but in discourse and interaction with secular human rights institutions. In the light of shrinking spaces for such actors, due to the challenges described above, this seems to be a promising way forward for the global church. As the protection of human dignity needs to be translated into secular safeguards, this also seems the only way forward for churches, if they truly want to proclaim the gospel in both word and deed.

## Christian Perspectives on Human Dignity and Human Rights from a Peace Church Perspective (Church of the Brethren)

Jeff Carter

The key conviction and leading question of this chapter is that the Church of the Brethren, by theology and practice, affirms human dignity and supports the protection of human rights. Through a specific scriptural hermeneutic as a Historic Peace Church, and a history and culture of suspicion regarding state authority and institutions, how human rights are protected is a matter of discernment and debate. At what point does military or police action undercut or run contrary to the biblical and theological basis for human rights?

### **Historical Context of the Church of the Brethren**

As the Reformation was in part a call upon the Catholic Church to reform and re-establish the apostolic purity of the church, the Radical Reformation was a reaction to the Protestant establishment of state churches and a call to a more authentic reflection of the New Testament in both personal and corporate piety. Three radical reformed groups, Anabaptist, Pietist, and Radical Pietist, drew upon a primitive interpretation of scripture as they sought to restore the New Testament church and deepen their Christ-centred discipleship.

The Anabaptists, a 16th-century reform movement in Europe, chose baptism as their defining ordinance both in reaction to the state church and in their imitation of key elements of Jesus' life. In polity and structure, the Anabaptists sought to create a visible and disciplined church that conformed to the standards of the New Testament and rejected the conforming spirit of the world. Sectarian by necessity, the Anabaptists often were seen as a threat to the state church in both their belief, centred on non-creedalism, and their practice of believer's baptism.<sup>1</sup> The Anabaptists chose to interpret the

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1. Cornelius J. Dyck, "Anabaptism," in *The Brethren Encyclopedia*, ed. Donald F. Durnbaugh (Philadelphia: Brethren Encyclopedia, 1983), 28.

Bible as a communal practice, insisting on the inner Spirit's presence when interpreting the outer word of scripture and regarding the New Testament as the fulfilment of the Old Testament.<sup>2</sup>

The Pietists, a 17th-century religious movement, focused devotion on the inward call of the Spirit and the regenerative understanding of a teleological (with the eschaton in mind) application of the scriptures.<sup>3</sup> In its pursuit of individual and corporate renewal, pietism “tended to elevate practice above doctrine, spirit above form, piety above orthodoxy, active engagement above mere consent, and fellowship above ecclesiastical or socio-cultural barriers.”<sup>4</sup> It is the interplay of the inward testimony of the Holy Spirit and the outward experience of the adherent, both within and outside of the faith community, that led to a subjective biblical hermeneutic. In addition, Pietists felt that the “Bible would best come alive if freed from dogmatic formulations,” thereby affirming no creed.<sup>5</sup>

The Radical Pietist movement of the 17th century, owing much to the Anabaptist tradition but in contradistinction to classical Pietism, advanced the notion of the New Testament apostolic church by establishing acts of obedience (ordinances) to include the more radical<sup>6</sup> trine immersion form of baptism, feetwashing,<sup>7</sup> anointing of the sick, and church discipline.<sup>8</sup> The Radical Pietists, with their commitment to nonviolence and emphasis upon a church of voluntary disciples, and the Pietists, with their emphasis upon the Spirit, influenced greatly the separatist notions of the emerging Brethren in the Palatinate region of Germany.

In 1708, five men and three women, in response to their felt call to imitate Jesus, were led to the river Eder in Schwarzenau, Germany, and were baptized by trine immersion. An unnamed person baptized Alexander Mack, the first minister of the movement, and Mack then baptized the other seven. This

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2. Church of the Brethren Annual Conference, “Biblical Inspiration and Authority,” in *Minutes of the Annual Conference of the Church of the Brethren 1975–1979*, ed. Phyllis K. Ruff (Elgin: Brethren Press, 1980), 550–66.

3. Dale Brown, *Understanding Pietism* (Nappanee: Evangel Publishing House, 1996), 46.

4. Ernest F. Stoeffler, “Pietism,” in *The Brethren Encyclopedia*, ed. Donald F. Durnbaugh (Philadelphia: Brethren Encyclopedia, 1983), 2: 1022.

5. Church of the Brethren Annual Conference, “Biblical Inspiration,” 550–66.

6. Radical, in an Anabaptist/Pietist context, defines an act or attitude that is counter-cultural.

7. The act of feetwashing as exemplified by Jesus and as defined in the Brethren ministers' manual, Earle W. Fike, *For All Who Minister* (Elgin: Brethren Press, 1993).

8. C. David Ensign, “Radical German Protestantism,” in *The Brethren Encyclopedia*, ed. Donald F. Durnbaugh (Philadelphia: Brethren Encyclopedia, 1983), 2: 1079.

single act marks the beginning of a faith tradition that includes the Church of the Brethren, a community with discernible roots in the Anabaptist, Pietist, and Radical Pietist movements of central Europe.

As a reform movement, the early Brethren fashioned their practice in response to what they perceived to be the liturgical coldness and dogmatism of the state church. Brethren worship was simple, without the formal liturgy of the Western Mass, and included Bible study, prayer, and singing. It was a time for biblical instruction and practical interpretation. As the Schwarzenau Brethren gathered, they did so in homes, emphasizing their fellowship and shared call to obedience in Christ. As the movement grew, so did the attention it attracted from the authorities. Seen as a separatist movement, the early Brethren were forced to leave Schwarzenau, sojourn through Europe seeking places of religious tolerance, and eventually leave Europe for the New World and the religious freedom William Penn offered near Philadelphia, Pennsylvania. As the waters of baptism birthed the Brethren movement in Europe, so the first baptism on Christmas Day 1723 signified the beginning of the Brethren church in the New World. Within 30 years of its founding, the Schwarzenau Brethren movement was almost exclusively a North American religious movement.

Brethren, historically, are considered “people of the Word” due to their sincere following of the life and teaching of Jesus as illustrated in baptism and found in the Bible.<sup>9</sup> It is this pre-eminent focus upon the life of Jesus and the rejection of alleged coercive creedalism of the established churches that gave the early Brethren direction in forming their community, often described over and against dominant cultural and religious patterns. The early Brethren relied upon the centrality of the New Testament for faith and life, a theological belief in the apostolic lineage of the voluntary Christian community, the work of the Spirit in inspiring new insight and direction, and the Protestant affirmation of the ability of all members to interpret scripture. These elements—word, community, unmediated Spirit, and the rejection of a formal creed such as the Apostles’ or Nicene creed—are the marks of a Brethren biblical hermeneutic.<sup>10</sup> Stuart Murray states, “In [biblical] hermeneutics, as in many other areas, [Brethren] functioned pragmatically, intuitively, and situationally, not systematically and theoretically.”<sup>11</sup>

9. Dale Stoffer, “Beliefs,” in *Church of the Brethren Yesterday and Today*, ed. Donald F. Durnbaugh (Elgin: Brethren Press, 1986), 43.

10. Stuart Murray, *Biblical Interpretation in the Anabaptist Tradition* (Scottsdale: Herald Press, 2000), 21.

11. Murray, *Biblical Interpretation*, 21.



## Biblical Hermeneutics in a Believers' Church Context

The Believers' Church, a term coined by Max Weber to describe radical Protestantism, and in distinction from the Free Church tradition, shares an emphasis upon separation from the powers and principalities of government yet more specifically defines a particular hermeneutic community.<sup>12</sup> Accompanying Brethren beginnings was a theological hermeneutic of the Believers' Church tradition that developed in the 16th and 17th centuries and found root in the early Brethren. The Believers' Church, as defined by Brethren historian Donald Durnbaugh, embraces a practical following of the New Testament as regenerate Christians who take Jesus Christ as their example and seek to represent his life, death, and resurrection by the manner of their living.<sup>13</sup> The community of believers organizes the life of the church by giving form to church practices, admonishment, and edification through Christian discipline on the order of Matthew 18 and by providing the context for biblical interpretation and the boundary between inner and outer Word,<sup>14</sup> the revelation of the Spirit, and the interpretation of the community:

The Word given in the scriptures and apprehended through the Holy Spirit provides the sole authority. Tradition must bow if the clear statement of the Word as understood in the covenant community so demands. On the other hand, the voice of revelation must always be tested by the Word, for there could be no clash between the two expressions. The inner and the outer Word are one in essence, if not in form.<sup>15</sup>

Confessional in nature, traditionally the testimony of faith was/is expressed existentially, thereby negating the need for a creed. Noting the lack of creedal and doctrinal boundaries, Frantz places greater emphasis upon tradition, originating from individual and corporate Bible study and prayer.<sup>16</sup> Frantz defines a Believers' Church hermeneutic by enumerating six practice-oriented hermeneutical marks.

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12. Donald F. Durnbaugh, "Believers' Church," in *The Brethren Encyclopedia*, ed. Donald F. Durnbaugh (Philadelphia: Brethren Encyclopedia, 1983), 1: 113.

13. Brethren doctrine of regeneration—the action of the Holy Spirit in renewing the lives of those placing their faith in Christ Jesus. Sometimes it is referred to as “the second birth.”

14. The inner Word of the Spirit agrees fully with the outer word of scripture.

15. Durnbaugh, *The Believers' Church* (Scottsdale: Herald Press, 1968), 33.

16. Nadine Pence Frantz, “Theological Hermeneutics: Christian Feminist Biblical Interpretation and the Believers' Church Tradition” (PhD diss., University of Chicago, 1992), 146.

First, there is a correlation between epistemology and obedience.<sup>17</sup> Understanding of and obedience to scripture is revealed in one's discipleship, *Nachfolge*. Such "practice increases understanding and knowledge of the scriptures, and study and prayer increases faithful practice."<sup>18</sup> Second, the congregation serves as the interpreting community.<sup>19</sup> With a practice-oriented hermeneutic, one becomes disembodied when removed from the interpreting community, for it is within the hermeneutic community and its practices of worship and Bible study that participants are invited to engage the Bible and one another for common understanding and direction.

A third mark is the correlation of the inner and outer Word. The outer word of scripture is interpreted by the inner Word of the Holy Spirit and guided by the interpreting community.

Fourth, revelation is understood as progressively historical.<sup>20</sup> Biblical interpretation is ongoing rather than static, opening the possibility for new understanding and thus a growing tradition.

Fifth, Jesus Christ is the interpretive focus.<sup>21</sup> The humanity of Christ Jesus is to be imitated by word and deed as Brethren seek the mind of Christ (Phil. 2:5).<sup>22</sup> As affirmed by the 1979 Annual Conference, "Jesus Christ expresses God's word in a complete and decisive way,"<sup>23</sup> as attested in the first chapter of John's gospel. In this way, Jesus is the Logos for Brethren.

Sixth, the faithful church is viewed externally as a peculiar people. "Peculiar" in this instance denotes a counter-cultural aspect to the tradition. Taking the community of Acts as the example, a church faithful to scripture will be marginalized and even persecuted by the prevailing culture (Acts 2:44). Therefore, the Believers' Church hermeneutic shapes how a community

17. Pence Frantz, "Theological Hermeneutics," 148. Noting that epistemology often refers to academic reflection on modes of knowing to be second-order interpretation, and obedience refers to a first-order practice, from this point on I shall replace "epistemology" with "knowing" so that both terms are first-order practices and epistemology; "ethics" will refer to second-order interpretation.

18. Pence Frantz, "Theological Hermeneutics."

19. Pence Frantz, "Theological Hermeneutics," 153.

20. Pence Frantz, "Theological Hermeneutics," 161.

21. Pence Frantz, "Theological Hermeneutics," 163.

22. The "mind of Christ" refers to the Brethren practice of mutual discernment, prayer, and sensitivity to scripture.

23. Church of the Brethren Annual Conference, "Biblical Inspiration and Authority," in *Minutes of the Annual Conference of the Church of the Brethren 1975-1979*, ed. Phyllis K. Ruff (Elgin: Brethren Press, 1980), 550-66.

understands God's relationship to be present and how scripture is used in the life of the church, accepting such particularities as a sign of faithfulness rather than as the stigma of the prevailing society.

## **Historic Peace Church Designation and the World Council of Churches**

With a priority on Jesus Christ as the hermeneutical lens and an emphasis upon orthopraxis, included in the witness of the church is Jesus' commitment to nonviolence and reconciliation. The designation *Historic Peace Church*, coined in 1935, recognizes Mennonites, Society of Friends, and Brethren as sharing a consistent biblical, theological, and programmatic commitment to peace and peace-making.<sup>24</sup> While theological kinship, fellowship, and collaboration was present among the three traditions prior to the 20th century, the First World War brought added explicit collaboration. As the title "Historic Peace Church" was gaining acceptance, a landmark assembly in Newton, Kansas, concluded with a joint statement of belief signed by the Mennonites, Society of Friends, and Church of the Brethren. "The assembly appointed a Continuation Committee to plan cooperative efforts in view of the world conflict which conferences-goers foresaw."<sup>25</sup> The committee influenced decisions leading up to the Second World War related to conscientious objectors, the draft, and the formation of both the Civilian Public Service and the National Service Board for Religious Objectors.

Following 1945, such collaboration and agreement led to large-scale denominational relief efforts in Europe through the work of the Continuation Committee.<sup>26</sup> Brethren leader and future World Council of Churches central committee member M. R. Zigler led the Continuation Committee efforts in Europe on behalf of the Brethren, which put him in close proximity to the growing ecumenical movement that in 1948 became the World Council of Churches (WCC). As a founding member of the WCC, the Brethren, as well as the Historic Peace Churches, influenced the post-war commitments and offered guidance to the central committee in its growing program.<sup>27</sup>

24. Donald F. Durnbaugh, "Historic Peace Churches," in *The Brethren Encyclopedia*, ed. Donald F. Durnbaugh (Philadelphia: Brethren Encyclopedia, 1983), 608.

25. Durnbaugh, "Historic Peace Churches," 608.

26. Durnbaugh, "Historic Peace Churches," 610.

27. Dale Ott, "World Council of Churches," in *The Brethren Encyclopedia*, ed. Donald F. Durnbaugh (Philadelphia: Brethren Encyclopedia, 1983), 1368.

The Church of the Brethren's influence at the WCC was/is an extension of its corporate commitments made through the Annual Conference. Discerning as one fellowship, Annual Conference statements repeatedly affirm Jesus' two-fold commandment to love God and to love one another (Matt. 7:12). The 1967 Annual Conference paper, "Church and State and Christian Citizenship," stated:

The Scriptures proclaim two principles which are profoundly relevant to the relation of the church and state: God as sovereign and God as love. The first principle holds that God is creator of and sovereign over all of life and not merely its religious dimensions. The second principle affirms that God loves the world. God has made people in God's own image. We, in turn, as members of the church, are called to identify ourselves in all our relationships with the purpose of God who "so loved the world that he gave his only Son" to save it. We are to love our neighbors as ourselves, that is, to seek for all people the same good life that we wish for ourselves. We are to share the loving concern of the Creator, which extends not only to people's religious but also to their emotional, mental and physical welfare. Clearly, then, it must include concern for justice, liberty and peace for all. "Let justice roll down like waters, and righteousness like an ever flowing stream." (Amos 5:24)<sup>28</sup>

This love and concern for the world is guided by Jesus' admonition to feed and give drink, visit, clothe, and welcome the least of these (Matt. 25:40-45), as well as make disciples of all nations (Matt. 28:16-20). It is from Jesus that we learn to care for the marginalized as represented by the poor, the widow, and the orphan. We witness in Jesus the work of the kingdom, both present and coming, through his relationships with humanity and the love and compassion with which he engages saint and sinner. And finally, from the Sermon on the Mount to Jesus correcting Peter's violence in the Garden of Gethsemane, violence is incompatible with the will of God.

This core commitment to the way of Jesus and particularly nonviolence is repeated as the Annual Conference responds to the violence and division in each decade. In the words of the oft-repeated 1918 Annual Conference "Statement on War,"

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28. Church of the Brethren Annual Conference, "The Church, the State, and Christian Citizenship," in *Minutes of the Annual Conference of the Church of the Brethren 1965-1969*, ed. William Eberly (Elgin: Brethren Press, 2005), 248-52.

Therefore, this Conference of the Church of the Brethren hereby declares her continued adherence to the principles of nonresistance, held by the church since its organization in 1708.

- I. We believe that war or any participation in war is wrong and entirely incompatible with the spirit, example, and teachings of Jesus Christ.
- II. That we cannot conscientiously engage in any activity or perform any function, contributing to the destruction of human life.<sup>29</sup>

## The Challenge of Human Rights Enforcement

International human rights law is consistent and compatible with a Brethren understanding of peace and peace-making, the way of Jesus, and the denunciation of violence. We are commanded by Jesus to care for our brother and sister, guard their dignity, and ensure their well-being. While Brethren affirm the protections offered through the rule of law, the concern is found in the methods of enforcement and the sin of “returning evil for evil” (1 Pet. 3:9).

Given that the Brethren were a persecuted people by both the state and the state church in the first decade of the 18th century, institutions of authority were viewed with suspicion both in their motives and the manner in which they act. Theologically, since there is but one kingdom, not two, temporal authority and action conducted on our behalf should be guided by kingdom values and the ministry of Jesus. Therefore, reliance on international human rights law and those who are empowered to enforce and protect is a challenge if the means of enforcement includes violence and doesn’t provide for basic human needs or seeks the fullness of peace.

The best example is the international norm the UN Responsibility to Protect, emerging from the Balkans and the use of UN Peacekeepers.<sup>30</sup> Questions and criticism emanate from a commitment to nonviolence and specifically to pacifism. For some Brethren, the call of the gospel and the

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29. Church of the Brethren Annual Conference, “Statement on War and Nonresistance” (1918), <https://www.brethren.org/ac/statements/1918-statement-on-war-and-nonresistance>.

30. The Responsibility to Protect is a global political commitment which was endorsed by all member states of the United Nations at the 2005 World Summit in order to address its four key concerns to prevent genocide, war crimes, ethnic cleansing, and crimes against humanity.

teaching of the church has led to pacifism, an outward witness to the gospel of peace. There is a diversity of thought even among the historic peace church community:

- absolute pacifism, which calls for absolutely no violence and no war
- militant pacifism, which focuses on civil disobedience and nonviolent resistance
- conditional or pragmatic pacifism, which is against war and violence but allows places with conditions for violence when suffering might be limited

While there may not be consensus on a precise definition of pacifism when considering the message of Jesus and the witness of nonviolence, it is safe to say that the motives and criteria for instituting action in the face of human rights abuses must be measured.

Here are questions to consider when evaluating the moral and ethical use of peacekeepers from a Historic Peace Church perspective:

1. UN Peacekeepers—peacekeepers for whom and for what?
2. Is there a threshold on violence when a peacekeeper becomes a warrior?
3. Is peace simply the absence of war or violence; it is maintaining order or the status quo?
4. Or is peace about justice and peace-making, reconciling enemies, and transforming the context?
5. Is the goal for peace momentary or is it a systemic and sustained peace which includes economic justice, land justice, an absence of fear, and yes, peace between peoples?
6. Who is the arbitrator of justice and declares when peace is achieved, and again, for whom? What are the markers for justice—reconciliation, restoration, or simply protection?

Granted, these questions are asked during conflict as human rights are being violated and there is a need for the immediate cessation of violence. Is it possible to be proactive so that the need for military intervention is prevented?

The “Ecumenical Call for Just Peace” is one of the best examples of a systemic, proactive vision for creating cultures of peace and interrupting a cycle of human rights violations and abuses. Rather than a state-initiated or nation-focused approach, often singling out a particular situation of international attention, just peace, as opposed to just war theory, is a grassroots, bottom-up approach that affirms life and offers dignity to all. Noting both the theological and biblical underpinnings of a just peace, the document offers a systemic understanding of peace and the path to peace in four major areas: Peace in the Community, Peace with the Earth, Peace in the Marketplace, and Peace Among the Peoples.<sup>31</sup> Just peace is a community-focused approach of both peace and justice undergirded by compassion—a compassion for the *oikoumene*—a world God so loves. This value returns us to Jesus’ teaching to love God and love one another and a Brethren commitment to live in imitation of Jesus.

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31. World Council of Churches, “An Ecumenical Call to Just Peace” (2011), [http://www.overcomingviolence.org/fileadmin/dov/files/iepc/resources/ECJustPeace\\_English.pdf](http://www.overcomingviolence.org/fileadmin/dov/files/iepc/resources/ECJustPeace_English.pdf).

## Christians Perspectives on Human Dignity and Human Rights from Orthodox Perspectives

Elpidophoros Archbishop Lambriniadis

The Orthodox Church has a valuable contribution to make on the issue of human rights both as a philosophical principle and as a legal reality. The theological framework and the spiritual commitment of the church in favour of human rights should help in articulating the paradox and contradictions between the universal protection of human dignity and aspects of human rights that focus on the individual rights reduced to an expression of individual autonomy, separated from God.

Speaking of human rights today means referring to human dignity, the protection of freedom, non-discrimination, equality and justice, and international peace. Human rights are the core values of humanism in the modern world. From their two classical declarations (American and French) in the second half of the 18th century up until today, human rights movements have proved capable of responding to new challenges, previously unknown threats to human dignity, as well as new forms of oppression and exploitation. They are not a panacea for the problems and injustices in our societies, which are marked by the seal of sin, but they are an essential and effective tool for the foundation and protection of freedom, equality, and justice. They are the symbol of our modern civilization.

The point of convergence of the Orthodox Church and the human rights movement is the concern for human dignity, freedom, and justice. The existing tensions between Orthodoxy and modern human rights are rooted not only in Judeo-Christian principles, but also in historical contexts.

### Human Value

A key notion for Orthodoxy is the concept of the human person, a concept directly related to the patristic tradition in which the notion of personhood (*πρόσωπον*) properly expresses the meaning of the creation of the human being in God's image and likeness (Gen. 1:26). The foundation of human dignity provides the human being with the highest value, the sacredness of



communion. All humans find their origin in God their Creator.

By creating humankind, God granted it the gift of freedom, which he imprinted on the image he freely offered it. The iconic dimension assumed by the Christian tradition manifests the action of the revealed Holy Trinity, made accessible by the incarnation of the Logos. This *imago Dei* manifests itself in the rationality of humankind and in its ability to form relationships.

The church is an existential space of absolute freedom through participation in the nature of God, which is made willingly accessible but exists beyond any predetermination. The common meaning of freedom is now reduced to the implementation of individual choices. Thus, freedom has become just another word for free will, that is, the ability to enforce individual choice. Over the centuries, however, free will has acquired a heavily theological dimension.

Freedom is a central anthropological and soteriological question in late Christian history, especially after the Reformation. It is generally interpreted using the patristic distinction between two types of will: the natural will of human beings, which is submitted to the constraints of the natural instinct; and the deliberative will or gnostic will, which uses logic and judgment to free human beings of these natural constraints and allows generosity and love, but also sin and temptation.

Egoistic forces continue to separate us from the beneficial end of taking root in the divine synergy described by St Basil the Great and St John Damascus. The renewed man is called to choose the good. This is the essential condition for his freedom. By good, one must not only understand a value judgment opposing evil, but also the ability to rediscover the relational vocation of humanity as opposed to individualism. As Christ said: “The truth will make you free” (John 8:32) and “I am the way, the truth and the life” (John 14:6).

## **Freedom and Communion**

The Orthodox Church insists on the fact that humans are relational beings, an image of God’s communion in which we can deepen the reality of coexistence, dialogue, and freedom. The recent document blessed by the Ecumenical Patriarchate, *For the Life of the World: Toward a Social Ethos of the Orthodox Church*, insists on the connection between freedom and our quest for God’s communion: “It is the realization of one’s nature in its own proper good end, one’s ability to flourish in the full range of one’s humanity—which

for the human person entails freely seeking union with God.”<sup>1</sup>

Human rights are a legal reality expressing principles such as individual freedom, equality for all without exception, and human dignity. From these principles result more specific rights: freedom of conscience, freedom of thought, freedom of speech, freedom of the press, the right to private property, the right to safety, and so on. Then, more specific definitions organize the life of the city through economic, social, and political rights. While Orthodoxy embraces the principles of human rights, it sees many limitations in the way they are disconnected from faith and religion. The lack of commitment to the universality of human rights and to the implementation of that universality have also created a paradoxical situation for the Orthodox Church itself. An excerpt from *For the Life of the World* reads:

The language of human rights may not say all that can and should be said about the profound dignity and glory of creatures fashioned after the image and likeness of God; but it is a language that honours that reality in a way that permits international and interfaith cooperation in the work of civil rights and civil justice, and that therefore says much that should be said. The Orthodox Church, therefore, lends its voice to the call to protect and advance human rights everywhere, and to recognize those rights as both fundamental to and inalienable from every single human life.<sup>2</sup>

Because even in the acceptance of individual liberties as a space, small as it may be, of human free will, the implementation of the law opposes our monstrous selfishness and allow us to become beings of communion and relationship. When these rights are denied, the quest for equal rights remains crucial. When they are granted, a spiritual quest becomes necessary to avoid the danger of individualism and to create circumstances in which it is possible to reveal the image of God by being fully human.

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1. David Bentley Hart and John Chryssavgis, eds, *For the Life of the World: Toward a Social Ethos of the Orthodox Church* (Brookline: Holy Cross Orthodox Press, 2020), 62.

2. Hart and Chryssavgis, *For the Life of the World*, 61.

## **Religious Freedom and Belief**

The Holy and Great Council of Crete in 2016 stated:

A fundamental human right is the protection of the principle of religious freedom in all its aspects – namely, the freedom of conscience, belief, and religion, including, alone and in community, in private and in public, the right to freedom of worship and practice, the right to manifest one's religion, as well as the right of religious communities to religious education and to the full function and exercise of their religious duties, without any form of direct or indirect interference by the state.<sup>3</sup>

The struggle for religious freedom or belief and the respect for the conscience of every human being should be proof of the triumph of love over hatred, of unity over division, and of compassion over the numbing sensation of indifference that is rooted in contemporary materialism. True freedom of conscience is based on the conviction that our relationship with the other is not separate from, but is integrally related to, our relationship with ourselves. After all, as St Paul suggests, we are all members of one body (Rom. 12:5).

In countries and cultures where there are dominant viewpoints, faith traditions, and political and economic instruments, the rights of the majority can be truly and justly secured only by guaranteeing the full human and religious rights of all minorities. This is why the Ecumenical Patriarchate tirelessly seeks to promote the rights of all peoples and faiths, both in Turkey and worldwide. For the measure with which we treat and honour others is the measure with which we can also expect to be recognized and respected.

## **Modern Slavery**

If invoking human rights is the normative response to various challenges in the modern world, they must also be used to confront modern slavery, one of the most extreme violations of human dignity. Countless children, women, and men around the world are currently suffering from different forms of human trafficking; forced labour of children and adults; sex trafficking of men, women and children; forced prostitution; forced and early marriage; recruitment of child soldiers; exploitation of migrants and refugees; organ

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3. Encyclical of the Holy and Great Council of the Orthodox Church (Crete, 2016), para. 16, <https://www.holycouncil.org/encyclical-holy-council>.

trafficking; and so on. The endless caravans of people forced by open violence to leave their homes, seeking protection and security, as well as the victims of structural violence, poverty, and famine, are vulnerable groups among which organized criminals easily find their victims.

This is precisely why we believe that responding to the problem of modern slavery is directly and inseparably linked to care for creation, which has been at the centre of the ministry of the Ecumenical Patriarchate over the last quarter of a century. The entire world is the body of Christ, just as human beings are the very body of Christ. The whole planet bears the traces of God, just as every person is created in the image of God. The way we respect creation reflects the way we respond to our fellow human beings. The scars that we inflict on our environment reveal our willingness to exploit our brother and sister.

We should unite our efforts to eradicate modern slavery in all its forms, across the world and for all time. The 2014 Declaration of Religious Leaders against Modern Slavery stated that slavery is “a crime against humanity.” We are committed “to do all in our power, within our faith communities and beyond, to work together for the freedom of all those who are enslaved and trafficked so that their future may be restored.” On the way to achieving this categorical imperative, our adversary is not simply modern slavery, but also the spirit that nourishes it, the deification of profit, consumerism, discrimination, racism, sexism, and egocentrism.<sup>4</sup>

## Migration

The 21st century began as the century of migrants and refugees. Endless caravans, a widespread flood of children, men and women seeking protection and security—victims of violence, poverty, famine, and climate change—forced to leave their homes by wars and armed conflicts or during the COVID-19 pandemic.

The presence of these refugees and asylum seekers, of economic and undocumented migrants, of trafficked persons, and of those searching for their lost families is a harsh daily reality in many countries. Their vulnerability and suffering confront us, disrupt us, and seize our conscience. We experience this contemporary global social crisis caused by globalization and armed

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4. See Ecumenical Patriarch Bartholomew and Archbishop Justin of Canterbury, “Joint Declaration on Modern Slavery,” 7 February 2018, <https://www.archbishopofcanterbury.org/node/149/printable/print>.

conflicts as a crisis not only of politics and economics but of the very essence of our religious faith and our fundamental moral and ethical responsibilities.

Defending the dignity of refugees and migrants is nothing less than the church fulfilling its mission of *diakonia* in the world. The Orthodox Church clearly expressed this spirit in the Encyclical of the Holy and Great Council, which addressed the main challenges for humanity today. Referring to the problem of migration and refugees, the Encyclical states:

The contemporary and ever-intensifying *refugee and migrant crisis*, due to political, economic and environmental causes, is at the center of the world's attention. The Orthodox Church has always treated and continues to treat those who are persecuted, in danger and in need on the basis of the Lord's words: 'I was hungry and you gave me to eat, I was thirsty and you gave me to drink, and was a stranger and you took me in, I was naked and you clothed me, I was sick and you visited me, in prison and you came to me', and 'Truly I tell you, whatever you did for one of the least of these my brethren, you did for me' (Matt 25.40). Throughout its history, the Church was always on the side of the 'weary and heavy laden' (cf. Matt 11.28). At no time was the Church's philanthropic work limited merely to circumstantial good deeds toward the needy and suffering, but rather it sought to eradicate the causes which create social problems. The Church's 'work of service' (Eph 4.12) is recognized by everyone. "We appeal therefore, first of all, to those able to remove the causes for the creation of the refugee crisis to take the necessary positive decisions. We call on the civil authorities, the Orthodox faithful and the other citizens of the countries in which they have sought refuge and continue to seek refuge to accord them every possible assistance, even from out of their own insufficiency."<sup>5</sup>

In April 2016, H.A.H. Ecumenical Patriarch Bartholomew visited the island of Lesbos with H.H. Pope Francis of Rome and H.B. Archbishop Ieronymos of Athens and All Greece, to tangibly demonstrate their concern for the dramatic situation of the refugees fleeing to Europe from terrible violence and threats to their very lives. In their statement in Lesbos, they said:

The tragedy of forced migration and displacement affects millions, and is fundamentally a crisis of humanity, calling for a response of solidarity, compassion, generosity and an immediate practical

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5. Encyclical of the Holy and Great Council, para. 19.

commitment of resources. From Lesvos, we appeal to the international community to respond with courage in facing this massive humanitarian crisis and its underlying causes, through diplomatic, political and charitable initiatives, and through cooperative efforts, both in the Middle East and in Europe.

It seems unacceptable that some Europeans, who praise human rights and who wish to appear as defenders of a Christian Europe, at the same time employ hard language against migrants and refugees and defend closed European borders. Can Europe save its identity by applying double standards?

It is likewise impossible to confront the refugee and migrant crisis on the basis of a technocratic, bureaucratic, and economy-centred Europe. Human persons are not mere objects and numbers. The economy, security, and technology can provide only temporary solutions. It is an illusion to suppose that our modern societies can remain open, democratic, peaceful, and human primarily through economic progress and security measures. An open society loses its openness if the problem of migration is not addressed according to the core European values and standards.

For Christians, “God is love” (1 John 4:8). Discrimination against human beings, closing our eyes before the suffering of our brothers and sisters, is the negation of love. Hatred and violence are the negation of human dignity in the name of human selfishness. Hatred and violence in the name of God are a negation of authentic faith and an offense against God. Wherever and whenever love and solidarity are practised, God is present. We must work constantly so that the contemporary return of God will become a return of the God of Love and the renewal of the culture of solidarity.

## **The Role of the Church**

Religions have a crucial role to play in the future of human rights ideas and their implementation and realization in practice, to the common struggle of both the human rights movements and religions for human dignity, freedom, equality, justice, and peace.

Tensions between faith and politics are inevitable, even in the cooperation of Christian churches with human rights movements. Although human rights bear the stamp of Christianity, it would be incorrect to assume that these rights also have a Christian origin. Christian freedom is accused of being internal and incomplete, without any interest in the social dimension. St Paul attributes Christian freedom to Christian slaves without questioning

the institution of external slavery. It is a fact that Saint Paul urged Christian slaves to remain in their position (1 Cor. 7:20-24) and that he sent back the slave Onesimus, who ran away from his master, urging the latter to accept the former in the spirit of Christian brotherhood and not to punish him. For the apostle Paul, the decisive issue is not social status but the reality of being released by Christ into real freedom (Gal. 5:1). Before God, social differences lose their importance, and all faithful are allowed to participate in the Holy Eucharist. There are “no longer slave or free . . . all of you are one in Christ Jesus” (Gal. 3:28). “The Church does not accept a difference between master (δеспότης) and servant (οικέτης).”<sup>6</sup> In overcoming inequality on the level of Christian life, the church made discrimination and prejudice visible as a social problem. The tension between this equality before God and inequality in the social sphere led to important changes.

For instance, in facing contemporary threats against children, in the 2016 Patriarchal Encyclical for Christmas, the year 2017 was declared as the Year of the Protection of the Sacredness of Childhood. In that Encyclical, it was said:

We appeal to all of you to respect the identity and sacredness of childhood. In light of the global refugee crisis that especially affects the rights of children; in light of the plague of child mortality, hunger and child labour, child abuse and psychological violence, as well as the dangers of altering children’s souls through their uncontrolled exposure to the influence of contemporary electronic means of communication and their subjection to consumerism, we declare 2017 as the Year of Protection of the Sacredness of Childhood, inviting everyone to recognize and respect the rights and integrity of children.<sup>7</sup>

Peace has been reduced through the years, due to the threat of terrorism, to a security issue. As an Orthodox Christian, I believe that peace is another name of God and our role today is to bring it into the world, to offer it to the world like Christ offered himself “for the life of the world.” For Christ himself said in the Beatitudes: “Blessed are the peacemakers, for they will be called children of God” (Matt. 5:9).

If peace comes from God, still it depends on humankind to embody it. As you all know, the theology of incarnation and *theosis* (deification), as revealed in the holy scriptures, defined by the Holy Ecumenical Councils and

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6. John Chrysostom, *Commentary on the Letter to Philemon*, PG 62, 705.

7. Patriarch Bartholomew, “Patriarchal Encyclical for Christmas 2016,” <https://www.goarch.org/-/patriarchal-encyclical-for-christmas-2016>.

addressed by the church fathers, is the faith-based operating principle that inspires the church's experience as well as Christian commitment in society. But let's consider the scriptural quote: "I was overjoyed when some of the friends arrived and testified to your faithfulness to the truth, namely how you walk in the truth. I have no greater joy than this, to hear that my children are walking in the truth" (3 John 1:3-4).

The Orthodox Church advocates a culture of compassion, of social justice in which people share their material resources with those in need. Charity and compassion are not virtues to be practised just by those who have the material resources and means. They are virtues that promote the communal love that Christians should have for all human beings. Every human being, regardless of whether he or she is rich or poor, must be charitable and compassionate to those lacking the basic material resources for sustenance. St Basil exhorts the poor to share even the minimal goods they may have. Almsgiving leads people to God and grants all the necessary resources for sustenance and development of their human potential.

However, a voluntary sharing of resources in the present world is not enough. Building a culture of peace demands global and local institutional changes and new economic practices that address, at a more fundamental level, the root causes of poverty. It calls for a fusion of the Christian culture of compassion with the knowledge that we have acquired through experience and the advances of social science about the structural sources of poverty and its multi-layered aspects that urgently need to be addressed through reflective concerted actions. His Beatitude Archbishop Anastasios of Albania has these inspiring words: "It is [Christian love] alone that can transform society from a heap of individual grains of sand, each isolated from and indifferent to the next, into an organic whole composed of cells, each contributing to the growth of all the others."<sup>8</sup>

The changes the Orthodox Church wants to see happening in the world, especially in terms of the protection of peoples and of ecological protection, preservation, and sustainability, depend on our definition of love. Love alone transforms the society and turns individuals into persons. Love brings freedom. Love is the space where the person and the society meet harmoniously, respecting the integrity of the first and the unity of the second. Love embraces freedom beyond freedom for oneself, for "Love is the fulfilling of the law" (Rom. 13:10).

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8. Archbishop Anastasios (Yannoulatos), *Facing the World: Orthodox Christian Essays on Global Concerns* (Geneva: WCC, 2003), 71.



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## Pan-Orthodox Commitment to Human Rights

Natallia Vasilevich

Because we continually proclaim the incarnation of God and the deification of the human being, we defend human rights for all persons and all peoples.<sup>1</sup>

When it comes to the Orthodox teaching on human rights, the most referred to document is the Russian Orthodox declaration *Basic Teaching on Human Dignity, Freedom and Rights* (2008),<sup>2</sup> which provoked an intense discussion, particularly in the ecumenical arena. It received theological responses from the other churches,<sup>3</sup> was the focus of the bilateral theological

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1. “Contribution of the Orthodox Church in Realizing Peace, Justice, Freedom, Fraternity and Love between Peoples, and in the Removal of Racial and Other Discriminations,” in *The Mission of the Orthodox Church in Today’s World*, <https://www.holycouncil.org/mission-orthodox-church-todays-world>.

2. HDFR: Основы учения Русской Православной Церкви о достоинстве, свободе и правах человека, приняты Архиерейским Собором [The Russian Orthodox Church’s Basic Teaching on Human Dignity, Freedom and Rights], adopted by the Bishop’s Council (Moscow, 2008), <https://old.mospat.ru/en/documents/dignity-freedom-rights>.

3. CPCE, “Human Rights and Morality: A Response of the Community of the Protestant Churches in Europe—Leuvenberg Fellowship—to the Principles of the Russian Orthodox Church on ‘Human Dignity, Freedom and Rights’” (Vienna, 2009).

dialogues of the Russian Orthodox Church with its partners,<sup>4</sup> and was the focus of several ecumenical, academic, and political symposia dedicated to the topic of human rights in the ecumenical perspective and Orthodox social ethics.<sup>5</sup>

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4. With the Protestant Church of Germany: Георгий Рябых, свящ. Православный подход к правам человека. Доклад, прочитанный на 24-х двухсторонних богословских переговорах между РПЦ и Евангелической Церковью в Германии, Бад-Урах V, 22-28 февраля, 2008 г., [Georgi Ryabikh, priest. Orthodox Approach to Human Rights, Input at 24th bilateral theological discussion between ROC and EKD, Bad Urach V, 22-28 February, 2008]. <http://www.interfax-religion.ru/atheism/?act=documents&div=731>; Evangelical Lutheran Church of Finland, Sinappi XIII (2005): Communiqué and Summary of the 13th Theological Discussion between the Evangelical Lutheran Church of Finland and the Russian Orthodox Church; and Sankt-Petersburg XIV (2008): Communiqué and Abstract of the 14th Theological Discussion between the Evangelical Lutheran Church of Finland and the Russian Orthodox Church, ed. T. Karttunen; Sinappi, Sankt-Petersburg and Siikaniemi., The 13th, 14th and 15th theological discussion between the Evangelical Lutheran Church of Finland and the Russian Orthodox Church (Helsinki: Church Council, 2013); Armenian Apostolic Church: Георгий Рябых, свящ. Богословский подход к правам человека. Доклад, прочитанный на 2-м богословском собеседовании РПЦ и Армянской Апостольской Церкви, Эчмиадзин, 5-6 февраля, 2008 г. [Georgi Ryabikh, priest. Theological Approach to Human Rights, Input at 2nd theological consultation between ROC and Armenian Apostolic Church, Etchmiadzin, 5-6 February, 2008], <https://bogoslav.ru/article/277428.html>.

5. “Opportunities and Limits: The Social Teaching of the Orthodox Church” and “Human Dignity—Human Rights: Orthodox Positions,” organized by Konrad Adenauer Stiftung respectively in Berlin, November 2008, and Bucharest, September 2009; conference on Orthodox Christianity and Human Rights, organized by the Institute of Eastern Christian Studies at Radboud University Nijmegen in February 2009, followed by a volume entitled *Orthodox Christianity and Human Rights*; International workshop “Orthodoxy and Human Rights,” 24-26 April 2013 at Louvain Catholic University at Louvain-la-Neuve; “The Christian Understanding of Human Rights: Difficult Questions – Dialogue of the Churches in Europe on the Occasion of the International Day of Human Rights,” 9-10 December 2011, Protestant Academy Bad Boll, organized by Konrad Adenauer Stiftung and Church and Society Commission of the Conference of European Churches, where representatives of the Russian Orthodox Church were speakers at every panel; conference on “Churches Together for Human Rights” in Helsinki, 7-8 March 2013, organized by the CSC CEC, Finnish Ecumenical Council, Evangelical Lutheran and Orthodox churches of Finland.

These kinds of ideas had been developed earlier in the Russian Orthodox Church, particularly since the document *Basis of the Social Concept of Russian Orthodox Church* (2000).<sup>6</sup>

In 2019, the document *For the Life of the World: Towards a Social Ethos of the Orthodox Church* of the Ecumenical Patriarchate, prepared by a theological team coordinated by the Greek-Orthodox Archdiocese of America, included human rights in the scope of its main topics.<sup>7</sup>

However, it was the pan-Orthodox document *The Contribution of the Orthodox Church in Realizing Peace, Justice, Freedom, Fraternity and Love between Peoples, and in the Removal of Racial and Other Discriminations*,<sup>8</sup> produced by the Third Pre-Conciliar Conference (Chambésy, 1986), which for decades set a proper theological framework for the Orthodox approach for human rights.

Unfortunately, this document was not widely known, although it played a role as prototype of the Holy and Great Council of the Orthodox Church's document *The Mission of the Orthodox Church in Today's World* (Crete, 2016),<sup>9</sup> and therefore needs more attention and study. There is a lack of even adequate translation of this document into English, and unfortunately it remains ignored by many scholars and theologians.

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6. BSC: Основы социальной концепции Русской Православной Церкви [*The Basis of the Social Concept of Russian Orthodox Church*] (Moscow, 2000): <https://russianorthodoxchurch.ca/en/the-basis-of-the-social-concept-of-the-russian-orthodox-church/2408>.

7. The Ecumenical Patriarchate, *For the Life of the World: Toward a Social Ethos of the Orthodox Church* (2019), <https://www.goarch.org/social-ethos>

8. English translation by Natallia Vasilevich from the Greek and French official versions:

1) Greek: Συνόδικα ΙΧ Γ΄ Προσυνοδική Πανορθόδοξος Διάσκεψις, 28 Ὀκτωβρίου – 9 Νοεμβρίου 198[6], Συνόδικα, ΙΧ Σαμπεζή-Γενέυης, 2014, 315-325; 2) French: Synodica X, IIIe Conférence panorthodoxe préconciliaire, Chambésy, 28 octobre – 6 novembre 1986, Chambésy-Genève, 2014, 307–17; on the basis of passages, phrases, and expressions of later official English translations: “The Mission of the Orthodox Church in Today’s World” (Synaxis of Orthodox Primates, Chambésy, 21-28 January 2016; The Holy and Great Council of the Orthodox Church, 19-26 June 2016).

9. Holy and Great Council of the Orthodox Church, “The Mission of the Orthodox Church in Today’s World” (Crete, 2016), <https://www.holycouncil.org/-/mission-orthodox-church-today-world>.

In its concluding part, this document includes the following commitments:

We, Orthodox Christians, because we understand the sense of salvation, have a duty to fight to relieve disease, misfortune, and suffering. Because we live the experience of peace, we cannot remain indifferent to its absence from today's society. Because we have benefited from God's justice, we are fighting for more perfect justice in the world and for the elimination of all oppression. Because we daily experience God's mercy, we are fighting against all fanaticism and intolerance between persons and peoples. Because we continually proclaim the incarnation of God and the deification of the human being, we defend human rights for all persons and all peoples. Because we live God's gift of freedom, through the redemptive work of Christ, we can more completely proclaim its universal value for every person and every people. Because we are nourished by the Body and Blood of our Lord in the holy Eucharist, we experience the need to share God's gifts with our brothers and sisters, and we have a better understanding of hunger and deprivation and fight for their extirpation. Because we are looking for a new earth and a new heaven, where absolute justice will reign, we fight here and now for the rebirth and renewal of the human being and society.<sup>10</sup>

"We, Orthodox Christians," in the conclusion of the document, repeats a typical constitutional formula, from which many preambles of state constitutions start—a declaration on the main principles on which the whole architecture of the constitution is based. It sounded like a preamble for a provisional Orthodox constitution, and human rights played an integral role there.

The present chapter will present the way to this document and its approach to human rights.

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10. English translation by Natallia Vasilevich from the Greek and French official versions: *Συνόδικα*, IX, 315–25; *Synodica* X, 307–17; on the basis of passages, phrases, and expressions of later official English translations: "The Mission of the Orthodox Church in Today's World" (Synaxis of Orthodox Primates, Chambésy, 21-28 January 2016; The Holy and Great Council of the Orthodox Church 19-26 June 2016).

## The First Pan-Orthodox Conference in Rhodes, 1961, and the Beginning of the Human Rights Reflection

After the Second World War, renowned Patriarch Athenagoras (Spyrou) tried to launch a process of preparation for the Holy and Great Council of the

Orthodox Church, which in the inter-war time appeared to be unsuccessful. The future Patriarch and then Metropolitan of Corfu, Athenagoras participated in the last pre-conciliar event of the inter-war time, the Preliminary Committee of the Orthodox Churches at the Holy Mount, which took place in Vatopedi, Athos, 8-23 June 1930. In the 1930s, however, such issues as human rights were far from the agenda of the Orthodox churches and their theological reflections. Nevertheless, the future Patriarch Athenagoras spent the years between 1930 and 1940 in the United States, on the eve of the Universal Declaration of Human Rights being conceived at the United Nations.

After his election as Ecumenical Patriarch, Athenagoras started his pre-conciliar activities and finally managed to call the First Pan-Orthodox Conference in Rhodes in 1961, which had to prepare an agenda for a future Holy and Great Council based on the issues discussed in the previous decades and new challenges faced by the Orthodox Church after the war. The preliminary catalogue of the topics, developed by the Holy Synod of the Ecumenical Patriarchate and sent to the local Orthodox churches, included chapters on *Orthodoxy in the World* as well as on *Social Issues*; however, neither of them included any topics related to the social doctrine of the church in general and human rights in particular.<sup>11</sup>

In response to the preliminary catalogue of topics, which was communicated to the local churches by the Ecumenical Patriarchate, Patriarch of Moscow Alexiy I (Simanski) proposed to add to the chapter “Orthodoxy and the World” the topic “Cooperation of the Orthodox Churches in the activities of realization of the Christian ideas of peace, brotherhood and love between peoples.”<sup>12</sup> In his address to the First Pan-Orthodox Conference, the Patriarch

11. Τὸ Σχέδιον Καταλόγου Θεμάτων, ἐνεκρίθη κατὰ τὴν Συνεδρίαν τῆς Ἁγίας καὶ Ἱερᾶς Συνόδου τοῦ Οἰκουμενικοῦ Πατριαρχείου τῆς 4ης Μαΐου 1961, ἩΗ Πρωτηᾶ Ἰ Πανορθόδοξος Διάσκεψις, Ρόδος, ΚΔ΄ Σεπτεμβρίου - Αὐγῶβρίου, 1961. Κείμενα - Πρακτικά, Ἐκ τοῦ Οἰκουμενικοῦ Πατριαρχείου, 1967, 12-17.

12. Ἀλέξιος, Πατριάρχης Μόσχας καὶ Πάσης Ρωσσίας, Ἐν Μόσχᾳ, τῇ 2ᾳ Σεπτεμβρίου 1961, Ἡ Α΄ Πανορθόδοξος Διάσκεψις, Ρόδος, ΚΔ΄ Σεπτεμβρίου - Αὐγῶβρίου, 1961. Κείμενα - Πρακτικά, Ἐκ τοῦ Οἰκουμενικοῦ Πατριαρχείου, 1967, 23-24.

stressed that “because the stability of the holy churches of God (is) inextricably linked to the peace in the whole world, in fulfilment of their peace-building duty the holy churches at every place of their residence bring to their people and to the whole world the God-given ministry of reconciliation and unity of people.”<sup>13</sup> He encouraged the Orthodox churches to use their authority on national and international levels to address “people with a call to seek peace in their relations, achieve it and live in it,” as well as “to seek the final eradication of the disgraceful colonial system.”<sup>14</sup> However, the idea of human rights was not voiced.

When the catalogue of topics of the Holy and Great Council was composed during the First Pan-Orthodox Conference, it was the representative of the Russian Orthodox Church, Metropolitan Nikodim (Rotov), who insisted on the topic “Cooperation of the Local Orthodox Churches in Activities Directed to Realizing of Christian Ideas of Peace, Brotherhood and Love between Peoples,” highlighting precisely the “sacred mission of reconciliation among people” and the “anxiety in which today humanity exists,”<sup>15</sup> among other concerns. According to Archbishop Nikodim, the “absence of such a topic in the list means that one of the most important sides of mission of the Orthodox Church is left without its reflection . . . This proposal is motivated for us by the awareness of the duty of the Church of Christ to bring to the world the holy mission of reconciliation among people.”<sup>16</sup>

Nikodim called for political and social involvement to be included in the concerns of the Orthodox Church and issues of pan-Orthodox elaborations. He describes these as such “pressing problems of humanity” as

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13. Обращение Патриарха Московского и всея Руси Алексия к Совещанию Православных Церквей на о. Родосе, In: Сорокин, Владимир, проф.-прот. (сост.) Митрополит Никодим и всеправославное единство. Спб.: Изд-во Князь-Владимирского собора 2008, 15–17, at 16. Ὁμιλία τοῦ Σεβ. Ἀλεξίου, Πατριάρχης Μόσχας καὶ Πάσης Ῥωσσίας, Ἡ Πρῶτη Πανορθόδοξος Διασκεψίς, Ρόδος, ΚΔ Σεπτεμβρίου – Ἀὐγούστου, 1961. *Κείμενα - Πρακτικά, Ἐκ τοῦ Οἰκουμενικοῦ Πατριарχείου Ἡ Α΄ Πανορθόδοξος Διάσκεψις, Ρόδος, ΚΔ Σεπτεμβρίου ἂ Ἀὐγούστου, 1961. Κείμενα – Πρακτικά, Ἐκ τοῦ Οἰκουμενικοῦ Πατριарχείου, 1967, 114–15.*

14. Обращение Патриарха Московского и всея Руси Алексия к Совещанию Православных Церквей на о. Родосе, 114–15.

15. Заявление Главы делегации Русской Православной Церкви архиепископа Ярославского и Ростовского на Всеправославном совещании, In: Сорокин, Владимир, проф.-прот. (сост.) Митрополит Никодим и всеправославное единство. Спб.: Изд-во Князь-Владимирского собора 2008, 19–31, 26.

16. Заявление Главы делегации Русской Православной Церкви архиепископа Ярославского и Ростовского на Всеправославном совещании, 19–31, 26.

“the establishment and strengthening of peaceful relations between peoples, states, political systems, meeting the needs of the peoples in areas of rapid social change, the eradication of the remnants of the shameful colonial system, and the normalization of the racial issue.”<sup>17</sup>

And this political work was considered by the Russian Orthodox representative to be good and worthy for the church, to be part of its mission, in contrast with what Nikodim calls “politicking, infinitely alien from true tasks of the Church of Christ.”<sup>18</sup> According to him, “some Orthodox figures” follow the latter approach, seeing unity with the other Christian churches in the form of “external alliance of no longer churchly like-minded people, which seek to intervene in the earthly affairs of humanity, which are not directly our competence as servants of the Word of God.”<sup>19</sup> He also called “some Orthodox Churches of the East,” which are not members of the Prague Christian peaceful movement, to join the organization<sup>20</sup> and all the Orthodox churches to work for the relaxation of international tensions and to press for political agreements on disarmament and national sovereignty of colonized peoples.<sup>21</sup>

Such concerns about peace, racial discrimination, and decolonization while ignoring human rights and while contrasting with other social issues labelled as “politicking” was not a genuine ecclesiastic or theological concern but rather a Soviet-inspired agenda. This justified the participation of the Russian Orthodox Church in pan-Orthodox and ecumenical organizations being instrumentalized by Soviet international policy<sup>22</sup> as part of “religious

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17. Заявление Главы делегации Русской Православной Церкви архиепископа Ярославского и Ростовского на Всеправославном совещании, 19–31, 23.

18. Заявление Главы делегации Русской Православной Церкви архиепископа Ярославского и Ростовского на Всеправославном совещании, 19–31, 22.

19. Заявление Главы делегации Русской Православной Церкви архиепископа Ярославского и Ростовского на Всеправославном совещании, 19–31, 22.

20. Заявление Главы делегации Русской Православной Церкви архиепископа Ярославского и Ростовского на Всеправославном совещании, 19–31, 31.

21. Заявление Главы делегации Русской Православной Церкви архиепископа Ярославского и Ростовского на Всеправославном совещании, 19–31, 28.

22. Livtsov V. “Use of Ecumenism as an Instrument of Soviet Foreign Policy in the Early 1960s,” in *Известия Российского Государственного Педагогического Университета им. А.И. Герцена*, 11 (66), СПб., 2008, 223–29, Ливцов В. РПЦ и экуменическая деятельность международных просоветских организаций, *Власть* 1 (2008), 79–82.



diplomacy” and “soft power” in the context of the Cold War.<sup>23</sup> In a certain sense, introduction of the topic of peace between people and of decolonialization was a shifting of the agenda from possible discussions on human rights, making peace-building and decolonization macro-political concerns and preventing human rights advocacy to be the focus of the Orthodox social doctrine. It was also an attempt to unite Orthodox churches around the agenda of the Moscow Patriarchate against “Anglo-American influence in the Orthodox world,”<sup>24</sup> to “neutralize a political and ideologically hostile course, which is usually implemented by the leadership of the Orthodox Churches of Greek nationality,”<sup>25</sup> and to “improve relations with the Ecumenical, Alexandrian and Jerusalem Patriarchates” on the basis of “issues of peace and friendship between people and development of anti-Vatican moods.”<sup>26</sup>

This strategy was clear to the Orthodox from the other side of the Iron Curtain. Archbishop of America Iakovos (Coucouzes) later blamed such an instrumentalization of peace by the socialist camp, which made the definition of peace in effect to be “the people’s submission” to the will of political leaders.<sup>27</sup>

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23. Белякова Н. А., Пивоваров Н. Ю., “Религиозная дипломатия на службе советского государства в годы холодной войны (в период Н. С. Хрущева и Л. И. Брежнева), In: *Контуры глобальных трансформаций: политика, экономика, право* 11:4 (2018), 130–49.

24. Чумаченко Т. “В вопросу об объявлении в 1966 г. представителя Московского патриархата при Антиохийском патриархе епископа Владимира (Котлярова) *persona non grata*” In: *Государство, религия, церковь в России и за рубежом* 1 (2017), 41–63, at 47, n. 24.

25. That is how Metropolitan Nikodim (Rotov) characterized tasks of the Moscow Patriarchate in inter-Orthodox relations. See Митрополит Никодим, В Совет по делам религий. 14 ноября 1966 г. // ГА РФ. Ф. Р6991. Оп. 6. Д.59. Л.197. Чумаченко Т. “В вопросу об объявлении в 1966 г. представителя Московского патриархата при Антиохийском патриархе епископа Владимира (Котлярова) *persona non grata*” In: *Государство, религия, церковь в России и за рубежом* 1 (2017), 41–63, at 47, n. 26.

26. The note of the KGB dated from 1960, where peace-building activities of the Russian Church were considered in the context of anti-Vatican politics of the Soviet Union. See Пивоваров, Н. “Кого приглашали в СССР и кого отправляли за границу по религиозной линии (1943–1985),” in *Государство, религия, церковь в России и за рубежом* 1 (2017), 185–215.

27. Iakovos’s Encyclical of 25 March 1978, quoted in Stanley S. Harakas, *Let Mercy Abound: Social Concern in the Greek Orthodox Church* (Brookline: Holy Cross Orthodox Press, 1983), 43.

In the end, this peace strategy was completely overturned by an anonymous editor<sup>28</sup> who updated the topic proposed by Archbishop Nikodim by adding the notion of freedom to the Christian ideals which are to be implemented by the church in the world.<sup>29</sup> It was not yet a commitment to human rights, and this is quite legitimate at the beginning of 1960. At that time, even lawyers were sceptical about the significance of the Universal Declaration of Human Rights (UDHR) due to the lack of institutional dimensions before the respective covenants were adopted, which also diminished its moral impact.<sup>30</sup> As Pamela Slotte admits, referring to Wolfgang Huber, it is only in the 1960s that work for human rights was developed within the world churches, and theologians developed more interest in it only in the 1970s, as a reaction to work and debates on the universality of human rights.<sup>31</sup>

However, for progressive Christians united around the emerging World Council of Churches, the human rights language found significance from the beginning of the adoption of the UDHR. The role of Christian theologians

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28. In the minutes of the conference, it is not disclosed how this happened. In the report of the group that worked on the formulation of this concrete issue, elaboration on this topic was not included. The group included Metropolitan Ignatios (Horaikhe) of Epiphaneia (Patriarchate of Alexandria), Metropolitan Gennadios (Machairiotis) of Paphos (Church of Cyprus), Prof. Georgios Anastasiades (Ecumenical Patriarchate), Metropolitan Synesios (Laskarides) of Nubia, Archbishop Aristovoulos (Aristides) of Kyriakoupolis (Patriarchate of Jerusalem), Alexey Bouevsky (Patriarchate of Moscow), Bishop Emeljan (Piperkovi) of Timok (Serbian Church), archpriest Grigore Cernăianu (Romanian Church), archpriest Prof. Stefan Zankow (Bulgarian Church), Metropolitan Timotheos (Matthaiakes) of Maroneia (Church of Greece), and Metropolitan Stefan (Rudyk) of Białystok and Gdańsk (Church of Poland). See Έπιτροπή Β'. Περὶ Διοικήσεις καὶ Ἐκκλησιαστικὴ Εὐταξία καὶ Ἡ Ὁρθοδοξία ἐν τῷ κόσμῳ, Ἡ Πρῶτη Πανορθόδοξος Διάσκεψις, Ρόδος, ΚΔ' Σεπτεμβρίου – Ἀὐγούστου, 1961. Κείμενα - Πρακτικά, Ἐκ τοῦ Οἰκουμενικοῦ Πατριάρχου Ἡ Α' Πανορθόδοξος Διάσκεψις, Ρόδος, ΚΔ' Σεπτεμβρίου – Ἀὐγούστου, 1961. Κείμενα - Πρακτικά, Ἐκ τοῦ Οἰκουμενικοῦ Πατριάρχου, 1967, 118-120.

29. Ὁ Κατάλογος τῶν Θεμάτων τῆς μελλούσης Προσυνόδου, Ἡ Πρῶτη Πανορθόδοξος Διασκεψις, Ρόδος, ΚΔ' Σεπτεμβρίου – Ἀὐγούστου, 1961. Κείμενα - Πρακτικά, Ἐκ τοῦ Οἰκουμενικοῦ Πατριάρχου Ἡ Α' Πανορθόδοξος Διάσκεψις, Ρόδος, ΚΔ' Σεπτεμβρίου – Ἀὐγούστου, 1961. Κείμενα - Πρακτικά, Ἐκ τοῦ Οἰκουμενικοῦ Πατριάρχου, 1967, 128-33.

30. Jochen von Bernstorff, "The Changing Fortunes of the Universal Declaration of Human Rights: Genesis and Symbolic Dimensions of the Turn to Rights in International Law," *The European Journal of International Law* 19:5 (2008), 903-24.

31. Pamela Slotte, "Blessed are the Peacemakers': Christian Internationalism, Ecumenical Voices and the Quest for Human Rights," in *Revisiting the Origins of Human Rights*, ed. Pamela Slotte and Miia Halme-Tuomisaari (Cambridge: Cambridge University Press, 2015), 293-329, at 296, n. 12.

was prominent<sup>32</sup> in introducing into the Charter of the United Nations the reference to human dignity and rights, which laid down the basis for post-war international order: “to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small.”<sup>33</sup> A significant role was also played by Christian theologians in their contribution to drafting the UDHR.<sup>34</sup>

One of the most prominent authors of the UDHR was the Lebanese Orthodox theologian and philosopher Charles Habib Malik, who in his 1949 article in *The Ecumenical Review* characterized the adoption of the declaration and related “international activity in the field of human rights” as “a spiritual reaction against the modern dissolution of the human soul” and as

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32. See Canon John Nurser, “The ‘Ecumenical Movement’ Churches, ‘Global Order,’ and Human Rights: 1938–1948,” *Human Rights Quarterly* 2:4 (November 2003), 841–81. Nurser explains in details historical circumstances of introduction of human rights rhetoric and especially of the role played by Frederick Nolde, who directed the Commission of the Churches on International Affairs (CCIA). He also develops it in his further book, John S. Nurser, *For All Peoples and All Nations: The Ecumenical Church and Human Rights* (Washington, DC: Georgetown University Press, 2005).

33. The Charter of the United Nations, 26 June 1945.

34. Among those were Orthodox theologian Charles Habib Malik, who was a president of the Economic and Social Council, founding member of the UN Human Rights Commission, member of the initial drafting group of UNHCR, chaired the Third Committee during the 1948 debates, and contributed much to the development of basic conceptual issues of the declaration (see Glenn Mitoma, “Charles H. Malik and Human Rights: Notes on a Biography,” *Personal Narrative and Political Discourse* 33:1 (winter 2010), 222–41, and David L. Johnston, “Charles Malik, the UN, and Human Rights” (26 June 2018), <http://www.humantrustees.org/blogs/religion-and-human-rights/item/170-charles-malik>); Protestant theologian Frederick Nolde, who contributed to the introduction and formulation of Article 18 on freedom of conscience (see Nurser, “‘Ecumenical Movement,’” 877•80; “Report of the General Secretary,” *Ecumenical Review* 2:1 (Autumn 1949), 57–70, at 68); Catholic theologian Jacques Maritain, who significantly contributed to the principle of minimal unity on practical grounds and the “open foundation” idea—see Johannes A. (Hans) van der Ven, “The Religious Scope of Human Rights,” in *Orthodox Christianity and Human Rights*, ed. Alfons Brüning and Evert van der Zweerde (Leuven: Peeters, 2012), 19–34, at 25–27, and Elena Pribytkova, “Natural Law and Natural Rights According to Vladimir Solovyov and Jacques Maritain,” in Brüning and van der Zweerde, *Orthodox Christianity and Human Rights*, 69–82, at 80–81, and Daniele Lorenzini, “Jacques Maritain on Anti-Semitism and Human Rights: A Conversation with Daniele Lorenzini,” *Journal of Human Rights Practice* 10 (2018), 536–45.

“an attempt at restoring the sense of responsible, authentic, personal dignity to the individual human being.”<sup>35</sup>

At the Evanston assembly in 1954, the political debates in the Christian circles on peace versus freedom were already provisioned and the following formula was proposed: “the struggle for the essential freedoms of man as defined in the Universal Declaration of Human Rights is the struggle for peace.”<sup>36</sup>

### **Between Rhodes and Chambésy: Development of the Anthropological Focus and Seeking Balance**

The issues of peace and decolonization were strongly promoted by the Soviet-bloc Orthodox delegations during the 1960s and 1970s. However, to avoid polarization between the Orthodox or instrumentalization to a certain political agenda, the pan-Orthodox assemblies didn't touch on any social or political topics, to the great disappointment of the Russian delegation. It is not clear if it was a conscious boycott or intentional strategy from the side of the Orthodox churches outside the communist area, but Metropolitan Nikodim, the promoter of the peace agenda, was constantly drawing attention to this issue and encouraged pan-Orthodox statements concerning peace:

Isn't the silence often kept by the Orthodox pleroma in relation to the problems of international peace, oblivion of one of the main divine commandments—the commandment of love and peace (Jn 14, 15, 21, 27 and other)? Isn't this silence a neglect of witness in the world, in the presence of which the Orthodox Church could only increase the glory of God? Our fraternal pan-Orthodox meetings should not be isolated from these problems.<sup>37</sup>

Meanwhile, the same silence concerning human rights and freedom existed, despite the growth of human rights concerns and the human rights movement in Orthodoxy. Archbishop Iakovos (Coucouzes) of America could

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35. Charles Malik, “Human Rights and Religious Liberty,” *Ecumenical Review* 1:4 (Summer 1949), 404–409, at 404.

36. W. A. Visser 't Hooft, *The Evanston Report: The Second Assembly of the World Council of Churches, 1954* (Geneva: WCC, 1954), 140, para. V.45.

37. Metropolitan Nikodim speaking at the Third Pan-Orthodox Conference, Rhodes 1966. See “Выступление главы делегации Московского Патриархата Митрополита Ленинградского и Ладожского Никодима на III Всеправославном Совещании на о. Родос по вопросам повестки дня.”

be seen as the most remarkable personality in this movement in the West.

Iakovos cherished freedom:

Our greatest and most precious inheritance from Christianity and Hellenism [is] freedom; freedom that honours the unfettered mind; freedom that rejects all compromise with political, social, or religious untruth; freedom that steadfastly wills spiritual, moral, political, social, and religious growth and improvement, under the watchful eye of God.<sup>38</sup>

There is nothing more valuable in the world as freedom . . . . Let us raise ourselves to our true Hellenic-Christian stature . . . let us vow to support to the best of our ability the human rights of all.<sup>39</sup>

Serving as the first Orthodox representative of the Ecumenical Patriarchate to the World Council of Churches from 1955, before taking his office as Archbishop of America, Iakovos first avoided an unequivocal and clear stance against racial segregation and support of the civil rights movement in the US, as it could endanger his own and his religious community's position in American society. However, during 1960s, he developed a position of standing on the side of the discriminated and in solidarity with the oppressed.<sup>40</sup> He also encouraged and inspired the pan-Orthodox Standing Conference of Canonical Orthodox Bishops to promote equal rights and their guarantees.<sup>41</sup> When 10 December was designated as a UN Human Rights Day, he urged the annual observation of this day with prayers "for those whose human rights are being denied or violated."<sup>42</sup> Stanley S. Harakas, who analyzed Iakovos's encyclicals, comes to the conclusion that they often refer to human rights as "the rights people enjoy by virtue of their creaturehood as children of God"<sup>43</sup> and freedom.<sup>44</sup>

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38. From Archbishop Iakovos's encyclical on 25 March 1968. Quoted according to Michael Varlamos, "A Quest for Human Rights and Civil Rights: Archbishop Iakovos and The Greek Orthodox Church," PhD diss., Wayne State University, 2018, 199. [https://digitalcommons.wayne.edu/oa\\_dissertations/2079](https://digitalcommons.wayne.edu/oa_dissertations/2079).

39. Varlamos, "Quest for Human Rights," 242.

40. Varlamos, "Quest for Human Rights," 152–94.

41. Varlamos, "Quest for Human Rights," 161.

42. Varlamos, "Quest for Human Rights," 242.

43. Harakas, *Let Mercy Abound*, 39.

44. Harakas, *Let Mercy Abound*, 41–43.

The American Clergy–Laity Congresses also actively addressed the issues of the civil rights, human rights, and human dignity in 1964, 1966, 1968, 1970, 1972, 1978, and 1980,<sup>45</sup> supporting Archbishop Iakovos in his human rights causes. The Standing Conference of the Canonical Orthodox Bishops in the Americas (SCOBA) also addressed the issue of the human rights, stating that “a new awareness and a renewed dedication and commitment to human rights, as the God-given inalienable rights for all His people” is needed.<sup>46</sup>

For Orthodox theologians in America, human rights was a self-evident value. They found the source of human rights in human dignity, supported human rights as a concept, criticized violations of human rights, and expressed the need to defend human rights. Freedom, human dignity, and human rights were not problematic concepts for them. Their approach is summarized by American Orthodox ethicist Stanley S. Harakas:

Human rights are so fundamental to our human condition that they are not abrogated even when it is accepted that we are all imperfect and sinful as persons and as social groups. Human rights reside in us as witnesses to the irreducible dignity which we have as creatures created in the image and likeness of God. . . .

Consequently, our Church clearly speaks in defense of genuine human rights, which are applicable to all people.<sup>47</sup>

During the 1960s and the first half of the 1970s, social topics were avoided in the pan-Orthodox process. This was partly because these topics were not in the theological focus of Orthodoxy<sup>48</sup> and partly because of political reasons which were divisive and not uniting for the Orthodox Church. These topics were able to disturb the very idea of the council, while the different local churches literally belonged “to different civilisations, often opposed”<sup>49</sup>;

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45. Harakas, *Let Mercy Abound*, 108.

46. 1978 SCOBA Human Rights statement, quoted from Stanley S. Harakas, *Contemporary Moral Issues Facing the Orthodox Christian* (Minneapolis, 1982), 136.

47. Stanley S. Harakas, “Human Rights, Equal Rights,” in *Contemporary Moral Issues Facing the Orthodox Christian*, ed. Stanley S. Harakas (Minneapolis, 1982), 130–41, at 131.

48. Metropolitan Damaskinos (Papandreou) does a review of discussions of these times. See “Rapport de S.E. Metropolitte Damaskinos de Tranoupolis sur la preparation du Grand Concile,” *Synodica* №3, ed. Vlassios J. Pheidas, Chambésy-Genève, 1979, 123–52.

49. Olivier Clément, “Tous, préparons ensemble le Concile,” *Synodica* №1, ed. Vlassios J. Pheidas, Chambésy-Genève, 1976, 105–25, at 120.

to “different social systems.”<sup>50</sup> In addition, the scope of the topics was broad, and the social topics were scattered in several chapters of several thematic areas.

The Inter-Orthodox Preparatory Committee of the Holy and Great Synod decided in 1971 to reduce the number of topics,<sup>51</sup> and Orthodox theologians were invited in a meeting on 26-31 December 1972 in Chambésy to propose their approach to revise the catalogue of topics. They focused on anthropology as the main thematic area of the future council: to treat “a human being in the image of Christ,” including the issue of the mission of Christianity in the world under this thematic area, formulating it as “social justice, racism, peace.”<sup>52</sup>

Finally, the First Pan-Orthodox Pre-conciliar Conference in 1976 adopted the list of ten topics. The social-political issues were merged in the tenth topic: “The Contribution of the Orthodox Church in Realizing of the Christian Ideals of Peace, Freedom, Fraternity and Love between Peoples, and in the Removal of Racial and Other Discriminations.”<sup>53</sup> In his homily at the opening service, Metropolitan Meliton of Chalcedon laid down a foundation of a new approach to all theological topics: the human being as placed in the centre of attention.<sup>54</sup>

The famous Orthodox ethicist from the US, Stanley Harakas, in his evaluation on such a formulation of the social topic, admitted “the wisdom and balance with which it was formulated, especially as it appealed to the social concern interests shown by the First, Second and Third Worlds.” He saw peace to be “the favorite popular cause in the socialist nations, who accuse the Western democracies of promoting war,” while “the favorite popular cause in the capitalist countries, in contrast, is the issue of personal freedom,”

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50. Olivier Clément and Paul Evdokimov, “Appeal to the Churches,” summarized in “Rapport de S.E. Metropolitte Damaskinos de Tranoupolis sur la preparation du Grand Concile,” *Synodica* №3, ed. Vlassios J. Pheidas, Chambésy-Genève, 1979, 123–52, at 136–137.

51. Première Conférence Panorthodoxe Préconciliaire (21-28 Novembre 1976), *Synodica* №3, ed. Vlassios J. Pheidas, Chambésy-Genève, 1979, 7–10, at 7.

52. “Rapport de S.E. Metropolitte Damaskinos de Tranoupolis sur la preparation du Grand Concile,” *Synodica* №3, ed. Vlassios J. Pheidas, Chambésy-Genève, 1979, 123–52, at 133.

53. Decision №1 (A.1.j.) of the First Pan-Orthodox Preconciliar Conference, Chambésy, 1976. *Synodica* №3, ed. Vlassios J. Pheidas, Chambésy-Genève, 1979, 113–17, at 114.

54. Ouverture de la Conférence, Premier jour d’ouverture officielle des travaux (Dimanche 21 Novembre 1976), *Synodica* №3, ed. Vlassios J. Pheidas, Chambésy-Genève, 1979, 25–28, at 27.

by which “the West charges the Eastern bloc nations with a suppression of freedom”; finally, the third world find itself “particularly resonant with the issues raised . . . under the rubrics of brotherhood and the struggle against racism.”<sup>55</sup>

In the 1970s, especially after the Final Act of the Helsinki Conference was concluded, and in the beginning of 1980s, the Orthodox churches in Europe become more and more interested in human rights and more involved in discussions on this topic under the influence of the ecumenical movement. A specific approach to human rights started to develop in the framework of Orthodoxy theology, based on the opposition of the Orthodox anthropology of a “person” to the Western Christian anthropological concept of a “human being” or the Enlightenment concept of the “individual.”

Christos Yannaras, one of the most influential Greek philosophers and theologians, is an exemplary thinker. Based on the idea of Vladimir Lossky, who saw the “person” and the “individual” to be opposite concepts,<sup>56</sup> he affirmed in his book *The Freedom of Morality*<sup>57</sup>:

The individual is the denial or neglect of distinctiveness of the person, the attempt to define human existence using the objective properties of man’s common nature, and quantitative comparisons and analogies . . . We try to achieve some rationalistic arrangement for the ‘rights of the individual’, or an ‘objective’ implementation of social justice which makes all individual beings alike and denies them personal distinctiveness.<sup>58</sup>

Yannaras attributes the “personalist approach” to the Eastern Orthodox vision and the “individualistic approach” to Western rationalism, be it in the form of religion or secularism.<sup>59</sup> Kristina Stoeckl summarizes the views of Yannaras as criticizing the Western anthropological focus on human

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55. Fr Stanley S. Harakas, “The Teaching on Peace in the Fathers,” in *Un regard Orthodoxe sur la Paix* (Geneva: Éditions du Centre Orthodoxe de Patriarcat oecuménique, 1986), 32–47, at 32–33.

56. Originally published in French: Vladimir Lossky, *Essai sur la théologie mystique de l’Église d’Orient* (Aubier, 1944). Here, Лосский, Владимир, Очерки мистического богословия Восточной Церкви. Догматическое богословие./ Пер. с фр. мон. Магдалены (В. А. Рещиковой), 2-е изд., испр. и перераб (СТСЛ, 2012), 177.

57. First published in 1979: Christos Yannaras, *The Freedom of Morality* (Crestwood: St Vladimir’s Seminary Press, 1984).

58. Yannaras, *Freedom of Morality*, 22.

59. Yannaras, *Freedom of Morality*, 24.



nature, while Eastern Orthodox traditions highlight the human person as a transcendence of human nature.<sup>60</sup> According to Stoeckl, Yannaras insists that individual human rights are an “imperfect solution to an already faulty situation.”<sup>61</sup> Stoeckl argues that Yannaras’ concept of “we, [the] Orthodox people” is based on the idea of belonging to a *polis* who can promote and continue a historical experience or heritage, which serves as a foundation for the Eastern Orthodox tradition to promote “a collective and political conception of human rights and not an individual and natural rights conception.”<sup>62</sup> She concludes that this concept tends to be interpreted as “a pre-modern argument against Western liberal Human Rights discourse.”<sup>63</sup>

When the Orthodox churches and theologians started to participate in the human rights debates in the European space, it was this specific approach, rather than the American one, which started to develop. Among such involvements, it is worth mentioning the participation in the Conference of European Churches’ Human Rights Programme on the implementation of the ten principles of the Helsinki Act.<sup>64</sup> Among the theologians who contributed in this period to the development of human rights ideas were Bishop Anastasios (Yannoulatos),<sup>65</sup> Metropolitan Damaskinos (Papandreou),<sup>66</sup> and Stanley S. Harakas.

### **Seminar on Peace, Chambésy, 1985: The Promotion of the Concept of Human Dignity as a Basis for Social Teaching**

This anthropological and human dignity–based concept was developed further in the work of a new secretary for the preparation of the Holy and Great Council, Metropolitan Damaskinos (Papandreou), who organized the Sixth pre-conciliar theological seminar, *Orthodox View on Peace*, and whose

60. K. Stoeckl, “The ‘We’ in Normative Political Philosophical Debates: The Position of Christos Yannaras on Human Rights,” in *Orthodox Christianity and Human Rights*, ed. Alfons Brüning and Evert van der Zweerde (Leuven: Peeters, 2012), 189.

61. Stoeckl, “‘We’ in Normative,” 190.

62. Stoeckl, “‘We’ in Normative,” 191.

63. Stoeckl, “‘We’ in Normative,” 198.

64. Todor Sabev, “The Contribution of the Local Orthodox Churches to the Realization of Peace,” in *Un regard orthodoxe sur la paix*, Série: Études Théologique de Chambésy, ed. Damaskinos Papandreou, #7 (Chambésy-Genève: Centre orthodoxe du Patriarcat oecuménique, 1986) 119–33, at 127.

65. Anastasios (Yannoulatos), “Eastern Orthodoxy and Human Rights,” *International Review of Mission* 72:292 (October 1984), 454–56.

66. Damaskinos, Métropolitte de Suisse, “L’Église orthodoxe et les droits de l’homme,” *Episkepsis* 336 (1985), 11–15.

keynote speech there finally became the basis for the future pan-Orthodox document, and was partly incorporated in it.<sup>67</sup>

Although the speech was concerned with peace and seemed to be in the framework of the Soviet peace agenda, Papandreou proposed a new approach to peace “based on dignity of [the] human person.”<sup>68</sup> In a certain sense, this was a paraphrase of the first sentence of the Preamble of the Universal Declaration on Human Rights, which stated that “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,”<sup>69</sup> the idea on which all the architecture of the UDHR was based.

These ideas were also in line with another paper at this seminar, presented by another important Orthodox and ecumenically involved theologian, Nikos Nissiotis. Addressing the issue of peace, Nissiotis stated that it can be spoken about “only as the result of man’s restored relationship with God by the concrete conformity to his rule regarding human personality and the respect of human dignity.”<sup>70</sup> Having been involved in the ecumenical discussion for decades, Nissiotis could observe the hypocrisy of peace talks; for him, it was essential to differentiate between a right and a wrong concept of peace, being critical both to capitalist and socialist interpretations thereof:

the Christian attitude to peace today should not ignore or “cover-up” by peace-making efforts the status quo either of injustice and exploitation, under the pretext of freedom or free economy, or of a refusal of human rights and personal freedom under pretext of establishing social justice. . . . Christian peace-making . . . has to insist on biblical grounds for the respect of both the prerequisites of peace: justice and genuine freedom as its constituent sine qua non elements.<sup>71</sup>

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67. This took place in Chambésy, 4-27 May 1985. Materials are published in *Un regard orthodoxe sur la paix*, Série: Études Théologique de Chambésy, ed. Damaskinos Papandreou, #7 (Chambésy-Genève: Centre orthodoxe du Patriarcat oecuménique, 1986).

68. Damaskinos (Papandreou), Metropolitan of Switzerland, “Réflexions sur la question de la paix,” in *Un regard orthodoxe sur la paix*, Série: Études Théologique de Chambésy, ed. Damaskinos Papandreou, #7 (Chambésy-Genève: Centre orthodoxe du Patriarcat oecuménique, 1986), 22.

69. UDHR, Preamble, §1.

70. Nikos Nissiotis, “Religion, Christian Faith and Peace,” in *Un regard orthodoxe sur la paix*, Série: Études Théologique de Chambésy, ed. Damaskinos Papandreou, #7 (Chambésy-Genève: Centre orthodoxe du Patriarcat oecuménique, 1986), 90–105, at 97.

71. Nissiotis, “Religion,” 90–105, at 98.

Papandreou proposed some extended reflections on human rights, in which he both embraced human rights and approached them in a critical way.

On the one hand, he insisted on the universality (catholicity) of human rights, which, in his view, has Christian roots and is based on what he calls “theocentric anthropology.”<sup>72</sup> According to this, the “human [being] is a recapitulation of all creation and image of God in the world” and therefore is the basis for the understanding of the catholicity and unity of humankind.<sup>73</sup> Each human being can be traced back to “the primary couple” and an understanding of the eternal value of each human being,<sup>74</sup> which is based on the sacredness and dignity of every human person derived from the divine origin.<sup>75</sup> Therefore, it demands both catholicity<sup>76</sup> and equality<sup>77</sup> of human rights, rights he compares with the ones enlisted by declarations of international organizations which work for their protection.<sup>78</sup> He also sees a necessity for the church not only to argue generally for the catholicity of human rights on a theoretical level but to be involved in the realization and protection of them.<sup>79</sup>

At the same time, his critique concerns the approach to human rights of secular international human rights institutions and movements. In his view, this is based on the “autonomous anthropocentrism of the philosophers of the Enlightenment of Western Europe” and “anthropocentric rationalism.”<sup>80</sup> Papandreou sees in this anthropocentric approach several problems. First, according to him, such an approach presupposes that the human is not a person but is reduced to a mere individual as a member of certain physiological, political, and professional groups.<sup>81</sup> This damages an understanding of the universality of the human, causing human rights little by little to become “just social guarantees determining . . . the place of the individual in the given social system” as a member of social group.<sup>82</sup> In support of his argument, he refers to the texts of the Universal Declaration of Human

72. Damaskinos, “Réflexions”, 23.

73. Damaskinos, “Réflexions,” 23.

74. Damaskinos, “Réflexions,” 23.

75. Damaskinos, “Réflexions,” 24.

76. Damaskinos, “Réflexions,” 23.

77. Damaskinos, “Réflexions,” 24.

78. Damaskinos, “Réflexions,” 24.

79. Damaskinos, “Réflexions,” 24.

80. Damaskinos, “Réflexions,” 24.

81. Damaskinos, “Réflexions,” 24.

82. Damaskinos, “Réflexions,” 25.

Rights (1948) and the Helsinki Final Act (1975), as well as to the fact that modern human rights instruments—such as the International Covenant on Civil and Political Rights; International Covenant on Economic, Social and Cultural Rights; International Convention on the Elimination of All Forms of Racial Discrimination; and Convention on the Elimination of All Forms of Discrimination against Women—that refer simply to certain groups of people based on gender, race, or age or to a certain domain of rights, be it political, cultural, or economic.<sup>83</sup> This discussion on the opposition between the concept of a “person,” which is considered to be possible only in the framework of Eastern Orthodox theology, with its ontology of *imago Dei*, and the concept of an “individual” as a deficient Western concept without solid ontological basis is typical of Orthodox theology since the 1980s.

Second, Papandreou lamented that the “human—subject of his rights”<sup>84</sup> was being transformed “in[to] the object of the same rights,”<sup>85</sup> which he imagines as “a dogmatic arbitrary and unilateral synthesis”<sup>86</sup> because human rights are applied not by the human himself, but by states and by governmental and inter-governmental organizations.<sup>87</sup>

Therefore, Papandreou states the opposition between the Orthodox Christian understanding of human rights based on a theocentric approach, which considers human as a subject, and the secular understanding based on an anthropocentric approach, in which the human being is treated as an object. In the end, this discourse and argumentation is not about freedom, human dignity, or human rights as such but on their basis, what is promoted as their basis (and the only basis). The main concern in the hierarchy of concerns is the protection of this basis; the whole discussion is around a symbolic opposition to a secular concept of human rights.

Third, while in a theocentric approach the human being is treated as *imago Dei*, which serves as an ontological presupposition of dignity, in “autonomous humanism,”<sup>88</sup> a human being is treated in isolation from God and in the absence of a “sacred foundation” and therefore loses these ontological guarantees: “by rejection of any notion of transcendence, a human being becomes the same as the one who creates oneself and the one who applies

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83. Damaskinos, “Réflexions,” 25.

84. Damaskinos, “Réflexions,” 26.

85. Damaskinos, “Réflexions,” 26.

86. Damaskinos, “Réflexions,” 26.

87. Damaskinos, “Réflexions,” 26.

88. Damaskinos, “Réflexions,” 25.

to oneself all forms of truth.”<sup>89</sup> The death of God, therefore, results in the death of the human “as a being with personal identity and individual existence.”<sup>90</sup> As a result, the human being is not only alienated from God but also alienated from their own self. This leads to a situation in which a human being is arbitrarily defined by itself and, on the other hand, is interpreted in completely deterministic ways, like is the case in structuralism, which insists that it is purely a system of structures which determines the consciousness and actions of individuals and groups.<sup>91</sup> Based on this, Papandreou sees that the task of the Orthodox Church is to bring back the constitutive foundation of human rights, the recognition of the human person as an image of God, which can serve as the only basis for human rights.<sup>92</sup>

In a sense, the focus is not on what is to be promoted but under what conditions and on what basis. Papandreou does not argue that there is a basis to embrace human freedom and human rights there in the Orthodox Church, but that human freedom and human rights should be promoted only on the Orthodox basis. That is how the idea of human dignity can serve not only as being supportive to human rights but as a more perfect alternative.

However, despite this critique, the focus on human rights was embodied and cherished in the theology since the late 1980s. Later in the pre-conciliar process, the issue of human rights was touched upon by 11th international theological seminar Religion and Society in 1990,<sup>93</sup> at which Vlassios Phidas developed the ideas of Papandreou. Phidas went as far as to proclaim that “the interest for the dignity of [the] person and its fundamental rights, which derives directly from Christian anthropology, always remains in the centre of the social mission of the Church in the world.”<sup>94</sup> He said that despite all the deficiencies of human rights, the church includes in her mission the protection of fundamental rights, recognizes all international documents on human rights as useful instruments, and recognizes that “human rights became an essential element of Christian anthropology.”<sup>95</sup> He also argued

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89. Damaskinos, “Réflexions,” 26.

90. Damaskinos, “Réflexions,” 26.

91. Damaskinos, “Réflexions,” 26.

92. Damaskinos, “Réflexions,” 26.

93. This took place in Chambésy, 30 April–5 May 1990.

94. Vlassios Phidas, “L’Église et les droits de l’homme dans l’expérience contemporaine,” *Religion et société*. Serie: Études Théologique de Chambésy, ed. Damaskinos Papandreou, #12 (Chambésy-Genève: Centre orthodoxe du Patriarcat oecuménique, 1998), 245–57, at 253.

95. Phidas, “L’Église et les droits,” 254.

that the Universal Declaration on Human Rights as “enriched, livened and renewed by the divine grace became a complementary element of ecclesial experience”<sup>96</sup> and that “activities in the world for the service of human rights are considered”<sup>97</sup> to be no less a spiritual experience than an internal life of the church as the body of Christ.<sup>98</sup>

## The Contribution Document, 1986

The Third Pan-Orthodox Pre-Conciliar Conference finally developed the ideas of Damaskinos Papandreou and reduced his critique. It produced the document *The Contribution of the Orthodox Church in Realizing Peace, Justice, Freedom, Fraternity and Love between Peoples, and in the Removal of Racial and Other Discriminations*, which throughout the decades remained the basic text on the Orthodox social doctrine. The idea of the dignity of human person, which was referenced in the very title of the first chapter, “The Dignity of the Human Person, the Foundation of Peace,” played a key role in the social doctrine as a whole. As was stated in the previous section of this chapter, such a formulation clearly echoed the formula in the first sentence of the preamble of the Universal Declaration of Human Rights, but with the reduction to dignity only with omission of “equal and inalienable rights” and with clear domination of the idea of peace over freedom and justice. However, the very notion of justice was also included in the document as the least of the Christian ideals.<sup>99</sup>

The 1986 *Contribution* also insisted on the “absolute and universal” character of the dignity of the human person and considered it as “an ontological background.”

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96. Phidas, “L’Église et les droits,” 256.

97. Phidas, “L’Église et les droits,” 256.

98. Phidas, “L’Église et les droits,” 256.

99. Synodica X (1986), 266.



## Hegumen Veniamin: A Knight of Freedom in Russian Orthodoxy

Alexander Shramko

In the official Orthodox discourse, and especially in the Russian Orthodox Church, a rather particular ambivalent, or, at its best, tolerant attitude dominates toward such concepts as democracy, freedom, and human rights.

Although the Russian Orthodox Church, in its Basis of the Social Concept (BSC),<sup>1</sup> states that “the Church does not give preference to any state system or any of the existing political doctrines” (III.7§4), democracy is proclaimed to be a religiously lower form of government than a monarchy (III.7§2). The church agrees to tolerate this lower form as a consequence of the “spiritual and moral situation” of a secular society but does not lose hope: “one cannot altogether exclude the possibility of such a spiritual revival of society as to make natural a religiously higher form of government” (III.7§3). Thus, in this document from 2000, democracy appears as the fruit of the spiritual impoverishment of society, its moral decline and departure from Christianity.

The situation with the approach to human rights in the BSC document looks better. It is stipulated that “the idea of these rights is based on the biblical teaching of man as the image and likeness of God, as an ontologically free creature” (IV.6§1).

However, several years later, in a new social document—*The Russian Orthodox Church’s Basic Teaching on Human Dignity, Freedom and Rights*<sup>2</sup>—biblical grounding for human rights disappears. On the contrary, it is proclaimed that they are “not a divine institution” (III.2§2) and the idea that human rights are a creation of the secular world and that they often serve as an excuse and as a means of spreading immorality is consistently promoted.

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1. Russian Orthodox Church, *The Basis of the Social Concept* (2000), <https://russianorthodoxchurch.ca/en/the-basis-of-the-social-concept-of-the-russian-orthodox-church/2408>.

2. Russian Orthodox Church, *The Russian Orthodox Church’s Basic Teaching on Human Dignity, Freedom and Rights* (2008), [https://nanovic.nd.edu/assets/17001/seminar\\_ii\\_russian\\_orth\\_church.pdf](https://nanovic.nd.edu/assets/17001/seminar_ii_russian_orth_church.pdf)



Thus, the Russian Orthodox Church readily joins the dominant ideological mainstream of the Russian regime, which, in the spirit of Soviet times, rejects Western values, including democratic principles of government and human rights.

Although there is a trend in Russian Orthodoxy at the official level and in common belief toward an increasingly sceptical and rejecting attitude toward democracy and human rights, significant voices of theologians and church leaders whose approach is radically opposed to the mainstream in relation to these categories are also present. In this regard, Hegumen Veniamin (Novik) remains the most striking figure in the theological field of Russian Orthodoxy to this day, even a decade after his untimely death. Moreover, it was Hegumen Veniamin who made democracy and human rights his main theological, pastoral, and public topic since the 1990s and continued to be dedicated to this topic until his death. Despite the fact that Novik did not develop an original theology of human rights but rather adapted existing theological concepts to the situation of the Orthodox Church of his day, he managed to demonstrate convincingly enough that there is an urgent necessity for a certain theological revolution in Orthodoxy in order to accept and cherish the idea of a human being endowed with inherent rights and freedoms.

Hegumen Veniamin's personality and activities are not well known outside the Russian speaking space.<sup>3</sup> The present chapter aims to acquaint a wider ecumenical circle with this outstanding theologian.

## **Hegumen Veniamin's Life Track**

Hegumen Veniamin belongs to the galaxy of the best representatives of the "intellectual conscription" to the priesthood of the late USSR, when young and educated people turned to the church in search of freedom and truth, seeing in it an alternative to the suffocating lies of the "stagnation" period.

Born in 1946 in Leningrad into a military family, Valery Novik, the future Hegumen Veniamin, after graduating from the Radio Polytechnic, served in the army. In 1976, he graduated from the Polytechnic Institute and worked for some time as an engineer. In the late 1970s, as a result of his religious and

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3. Alfons Brüning presents his biographical sketch in his chapter on Orthodox priests as human rights activists in Alfons Brüning, "Orthodoxie, Christentum, Demokratie: Priester als Menschenrechtsaktivisten," in *Christentum und Menschenrechte in Europa: Perspektiven und Debatten in Ost und West*, ed. Vasilios N. Makrides, Jennifer Wasmuth, and Stefan Kube, 103–20.

philosophical quests, he consciously converted to Orthodoxy. In 1983, having passed an external seminary course, he entered the Leningrad Theological Academy, which was known for its openness to the ecumenical movement and Western Christian traditions. He defended his PhD thesis and taught there for ten years. He took monastic vows in 1988 and a year later was ordained as hieromonk. From the late 1980s, Fr Veniamin started to publish in the media, gave interviews, and participated in TV shows.

In 1990, he was appointed as a member of the Mixed Theological Commission for Orthodox-Catholic Dialogue. From 1992, he served as an inspector of the academy (deputy rector for discipline). According to him, he was extremely burdened by the new position; finally, he left this position at his personal request. From 1995 he taught at a Catholic seminary.

For Hegumen Veniamin, human rights and freedom of religion or belief were not only a matter of his theological enquiry but also had axiological and practical significance. In September 1997, he was fired from the academy due to his disagreement with the new federal law On Freedom of Conscience and Religious Associations.

After his dismissal, he decided to devote himself entirely to the study of social doctrine, defending human rights and their Christian foundation. He first studied the social teaching of the church in Italy (two semesters) and in the United States (one semester). In 1998, he studied human rights at Columbia University. Not being on staff, he continued to engage in journalistic activities and teach at a Catholic seminary. The last years of Fr Veniamin's life were overshadowed by a serious illness—a brain tumour. He died on 14 September 2010, shortly after undergoing surgery, at the age of 65. He is buried at the Bolsheokhtinsky cemetery in St Petersburg.

### **Hegumen Veniamin (Novik) on the Biblical-Christian Origin of Human Rights**

In his articles and speeches, Hegumen Veniamin, in opposition to the prevailing doctrine in official theology, defended the idea of the Christian roots of democracy and human rights. At the same time, his words did not differ from his deeds: in the 1990s, he was one of the initiators of the creation of the Christian Democratic Party of Russia.

Hegumen Veniamin outlined his ideas in numerous articles, the most significant of which were published in the collection *Orthodoxy, Christianity,*

*Democracy*,<sup>4</sup> where he elaborated his own approach to human rights, closely related to the ideas of the early Russian Orthodox thinkers V. Bolotov,<sup>5</sup> B. Vysheslavtsev, V. Solovyov, S. Bulgakov, N. Berdyaev, and materials of religious-philosophical discussions that took place in 1901 to 1903 in St Petersburg. He related his reflections as well to the ideas of the circles of the dissident movement of the late 1970s in the Soviet Union. In addition, he was the compiler and scientific editor of the anthology *Human Rights and Religion*.<sup>6</sup>

In substantiating the divine origins of dignity and human rights, Fr Veniamin proceeded from the theory of natural law in its Christian interpretation. The meaning of this interpretation is that the basic principles of understanding the dignity and freedoms of a person are natural precisely because they are given from above and not because they are conditioned by some laws of nature. Indeed, in the wilderness of nature, the right of the strongest—the law of the jungle—prevails. “In this sense,” writes Fr Veniamin, “a state with a rule of law, which recognizes the equal rights of people who differ in their power capacities, is very ‘unnatural,’ but it is this unnaturalness that elevates a person above the animal world.”<sup>7</sup> Glimpses of this supernatural law can be traced back to pagan thinkers because, as the apostle Paul says, “what the law requires is written on their hearts” (Rom. 2:15), and then with greater clarity are given in the Divine Revelation. The Old Testament speaks directly of the dignity of man as created in the image and likeness of God (Gen. 1:26).

Hegumen Veniamin shares the following series of quotations from the Old Testament, where, in his opinion, the social concepts of truth (righteousness) and justice are presented as rooted in God:

You shall not follow a majority in wrongdoing; when you bear witness in a lawsuit, you shall not side with the majority so as to pervert justice. (Ex. 23:2)

For all who do such things, all who act dishonestly, are abhorrent to the Lord your God. (Deut. 25:16)

4. Вениамин (Новик), игумен. Православие. Христианство. Демократия / игумен Вениамин (Новик) – СПб.: Алетейя, 1999.

5. Novik traces patristics foundations of his ideas from Bolotov’s lectures.

6. Права человека и религия: Хрестоматия / сост., ред. игум. Вениамин. — М. : Библийско-богословский институт св. апостола Андрея, 2001.

7. Вениамин (Новик), игумен. Православие. Христианство. Демократия / игумен Вениамин (Новик) – СПб.: Алетейя, 1999.– С. 318.

For the Lord is a God of justice. (Isa. 30:18)<sup>8</sup>

At the same time, he notes that “truth” (or “righteousness”) is understood here not in any clan-oriented and national, corporate, or even confessional sense, but precisely as “the truth of God, which has a universal meaning.”<sup>9</sup> So, for example, the Old Testament law overcomes the xenophobia common to ancient cultures and provides for the protection of foreigners from “those in power” (Ex. 23:9; Lev. 19:33-34).<sup>10</sup>

The New Testament, as noted by Fr Veniamin, contains a clear commandment to love all people without exception, including enemies (Matt. 5:44-45), which is also the pinnacle of universal human ethics.<sup>11</sup>

In addition, in his opinion, the commandments of Christ are addressed to the self of a person in their conscience. Therefore, the commandments can only be fulfilled by each individual: their fulfilment cannot be demanded from the others. At the same time, the gospel says we should care for food and clothing not primarily for ourselves (Matt. 6:25) but for the needs of others, which is regarded as necessary (Matt. 25:31-46).<sup>12</sup>

Also, the Beatitudes (Matt. 5:1-12) speak twice about “righteousness,” and the heavenly kingdom is promised to those who are persecuted for righteousness’ sake. But, as Hegumen Veniamin points out, “the high concept of ‘truth’ includes the concept of ‘justice,’ that is, it also carries some social and legal meaning that is relevant in our earthly reality.”<sup>13</sup>

Although there are no direct references to any human rights mechanisms in the New Testament, Hegumen Veniamin calls Christians to remember that the gospel does not contain concrete recommendations or prohibitions for all occasions: what is important is that the spirit of the gospel awakens in us a sense of responsibility for what is happening in society and promotes an urge for human rights advocacy.<sup>14</sup>

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8. Там же. – С. 332.

9. Там же. – С. 332.

10. Там же. – С. 332.

11. Там же. – С. 331.

12. Там же. – С. 334.

13. Там же. – С. 335.

14. Там же. – С. 335.

## “Oblivion” of the Ideas of Human Rights in Eastern Christianity

Hegumen Veniamin points out that the ideas of dignity and human rights were initially widespread in the Christian theological tradition, both in the West and in the East, but to a large extent this was due to the persecution of Christians themselves, that is, the infringement of their own freedom of conscience by the pagan authorities.<sup>15</sup> As an example, he cites Tertullian, who argues that “every human has a natural right and power to honour what he deems worthy of worship . . . . But it is not right in [the] religious sense to force anyone to religious reverence.”<sup>16</sup>

Novik takes a critical look at the development of an approach to freedom of conscience related to the processes of a changing status of Christianity from a persecuted to a dominant religion. He notes that when Christianity received the status of the state religion, Christian theologians began to call on the emperor to eradicate paganism by violent measures, pointing to the biblical example of the extermination of the Canaanites by God’s chosen people.<sup>17</sup>

In later historical periods, however, the scourge of power in the same way was called upon now to exterminate Christians, who in some way disagreed with the general line of the mainstream and became regarded as so-called heretics.<sup>18</sup> Here, he refers to the example of Blessed Augustine and his principle of *multis enim profuit prius timore vel dolore cogi, ut postea possent doceri* [fear and suffering sometimes contribute to approaching the truth]. Although Augustine was first a strong supporter of freedom during the predominance of Donatist heretics in Africa, when they were weakened, he advocated the suppression of this religious movement by the power of state coercion.<sup>19</sup>

Later, as Hegumen Veniamin notes, the paths of the Western and Eastern traditions in relation to the authorities radically diverged, even though the foundations of Western and Eastern Christianity were the same. The conclusions from these foundations were, however, divergent in Western and Eastern Christianity and even opposite to each other: “If for the West (especially the Anglo-Saxon) the key notion was ‘freedom,’ then for the

15. Там же. – С. 339.

16. Там же. – С. 336.

17. Там же. – С. 340.

18. Там же. – С. 340.

19. Там же. – С. 340.

East the key notions became ‘obedience’ and ‘humility.’”<sup>20</sup> As a result, the West has become characterized by the presumption of distrust against the state and put the imperative on the autonomy of the human person,<sup>21</sup> while for the East, unconditional subordination to the state, completely devoid of any major criticism, even to the sacralization of the state, became more typical.<sup>22</sup> Indeed, we can see such an approach also in the BSC document of the Russian Orthodox Church: it is the state and the nation, not the human being and the human person, which are the focus of the primary sections of the document. However, it should be noted that there are other examples of Orthodox documents where the individual and his or her dignity are given a central and key place for building the entire social doctrine, such as the *Mission of the Orthodox Church in Today's World* (Crete, 2016)<sup>23</sup> or *For the Life of the World: Toward a Social Ethos of the Orthodox Church* (2019).<sup>24</sup>

Relating to the question of which path would correspond most to the Christian dogma, Hegumen Veniamin answers with the words of N. Berdyaev: “Freedom of conscience is the basis of any right to freedom, therefore it cannot be cancelled or limited neither by human will nor by state power. It is the expression of God. God sees in freedom the dignity of the human being created by Him. Only in a free being the image and likeness of God are revealed.”<sup>25</sup>

Novik concludes that the departure from the original attitudes enshrined in the gospel linked to this issue relates to the temptation to which the Christian church finally succumbed when agreeing to merge with the state to enjoy privileges from it. But as a result, the church loses its independence, and the state begins to instrumentalize the church for its own interests.<sup>26</sup>

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20. Там же. – С. 348.

21. Там же. – С. 343.

22. Там же. – С. 347.

23. See, for example, Natallia Vasilevich’s comparison of Russian Orthodox and pan-Orthodox documents in relation to the teaching on freedom: Василевич, Н. “Между свободным подчинением и освобожденной свободой: учение Православной Церкви о свободе”. *Этическая мысль* 2017. Т. 17. № 1. С. 80–93.

24. Orthodox Church, “For the Life of the World” (2020), <https://www.goarch.org/social-ethos>.

25. Бердяев Н.А. Государство //Сб. “Власть и право. Из истории правовой мысли”. Л., 1990. С. 288.

26. Вениамин (Новик), игумен. Православие. Христианство. Демократия / игумен Вениамин (Новик) – СПб.: Алетейя, 1999. – С. 203.

He denies in principle the possibility of a so-called symphony between church and state due to the radical difference in their natures.<sup>27</sup>

## **The Christian Meaning of Secularization**

The 20th century is associated with secularization, which is still often viewed negatively among Christians. In this sense, Hegumen Veniamin went against the Christian mainstream. He emphasized that the “governmental service” of the church humiliated the church, putting it at the service of worldly interests, and that the most pernicious secularization happened when “in practice, it is not the state that is ‘churched,’ but it is the church which is secularized, as was the case under Peter the Great.”<sup>28</sup>

The current and modern secularization, on the contrary, frees the church from this yoke and brings the freedom of the human person, including freedom in faith. From the outside, it may seem that the source of this movement is outside the church, even coming from the church’s opponents, but in essence, it is a response to what was already discovered by Christianity. “Secularization itself was born in the bosom of Christianity. It is possible that secularization also has its own providential sense of the possibility of discovering Christianity in the non-clerical sphere (as N. Berdyaev believed),” concludes Fr Veniamin.<sup>29</sup>

As mentioned above, Russian philosophers and theologians of the early 20th century paid great attention to the rethinking of Christian roots and the Christian meaning of human rights. The words of one of them, Boris Vysheslavtsev, are cited by Hegumen Veniamin as the quintessence of his own position:

The value of freedom of conscience, freedom of speech and freedom of association is indisputable from a Christian point of view, as it has grown directly out of Christianity. It is the value which is the basis of the free communion of souls, the basis of spiritual unity and, consequently, the basis of catholicity and love. To deprive humanity of one of these freedoms means to deprive it of the opportunity to exercise catholicity and to express love, in other words, to strive for the incarnation of the Kingdom of God. These values, which are

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27. Там же. – С. 277.

28. Вениамин (Новик), игумен. Православие. Христианство. Демократия / игумен Вениамин (Новик) – СПб.: Алетейя, 1999. – С. 208.

29. Там же. – С. 209.

defended by modern democracy, are eternal values which, from the Christian point of view, will pass into the Kingdom of God. They are already contained in the very idea of the Kingdom of God, for it in itself is freedom, communion and union.<sup>30</sup>

Of course, a healthy implementation of these rights and freedoms is possible only on the conditions of both a healthy church and a healthy state: “the separation of the Church from the state can be a guarantee of the social freedom of the Church only under a democratic regime in the presence of a Christian civil society. Therefore, its creation remains the same urgent task as at the beginning of the century.”<sup>31</sup>

### **Hegumen Veniamin Novik on the Need for Reform in the Church**

An important topic for Hegumen Veniamin related to the question of the approach to human rights is reform within the church itself. The Orthodox Church urgently needs a reform for its own recovery, especially since, according to our author, “in Orthodoxy there has never been a Reform as such, and the dogmatic and canonical development as a whole has stopped at the level of the seven Ecumenical Councils. This is an amazing fact, but it also creates great difficulties with the renewal of church life.”<sup>32</sup> Novik’s pathos for reformation concerns not some external forms of church life but the entire church consciousness, a revision of the focus of spiritual life and theological thinking. He formulated this in a manner of no more and no less than the need to return to the gospel and to Christ himself, both of which are alienated from the church. Thus he called the church to go back to Christ and the gospel, to be imbued with the sense of the gospel, indeed to be able to follow it in daily life.<sup>33</sup> He assessed the current state of Orthodoxy as a mentality bound by pagan ritualism which fails to be freed in the spirit of Christ.<sup>34</sup>

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30. Вышеславцев Б.П. Социальный вопрос и ценность демократии. Журнал “Новый Град” №2 / Электронная библиотека Одинцовского благочиния [Электронный ресурс]. – Режим доступа: [http://www.odinblago.ru/noviy\\_grad/2/4/](http://www.odinblago.ru/noviy_grad/2/4/). – Дата доступа: 10.10.2021.

31. Вениамин (Новик), игумен. Православие. Христианство. Демократия / игумен Вениамин (Новик) – СПб.: Алетейя, 1999. – С. 211.

32. Там же. – С. 84.

33. Там же. – С. 94.

34. Там же. – С. 64.



After the return of Christ to the church (to bring the church closer to Christ), Hegumen Veniamin considered the return of the human being to Christ inside the church to be the second necessary step:

Our theology remains predominantly spiritualistic (heavenly oriented). And our anthropology, on the other hand, is narrowed to asceticism, to the fight against passions . . . . But Christianity is a revelation not only about God, but also about human being. The theological approach must be balanced with the anthropological one. Only God has the right to think in the full sense of the word theocentrically and theo-logically. And even He limited Himself by the freedom of a human being, and took risks by creating [the] human as a free being.<sup>35</sup>

The theologian saw a kind of self-isolation of the church, the existence of a rigid dualism between the church and secular spheres as the main obstacle on this path, and he called for the overcoming of this dualism.<sup>36</sup> As a theological task, he considered the replenishment of a spiritual theology with social anthropology, finding in the church a place for the rational component in the human mind as the bearer of an all-human universal principle. To do this, he proposed not only to apply theology, but also to be in dialogue with philosophy, psychology, and sociology. “Otherwise,” Fr Veniamin said, “It will be impossible to develop the concept of tolerance, ecumenism, the ‘common good,’ without which, in turn, it will be impossible not only to move towards Christian unity, but also towards civil society.”<sup>37</sup>

For Fr Veniamin, the movement toward both of these—Christian unity and renewal of society—was of great importance. He advocated for the joint Christian social work of all churches. Despite all the differences between them—and they are not so great, in his opinion—if Christ is in the centre, there is not only orthodoxy, there is also orthopraxis: the real implementation of the commandments in everyday life. Therefore, he called on the Orthodox to learn about the practical and social dimensions of Christian service, such as from the Protestants, which on average are far better developed than the Orthodox in this regard.<sup>38</sup>

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35. Там же. – С. 90.

36. Там же. – С. 95.

37. Там же. – С. 95.

38. Игумен Вениамин (Новик) о протестантах, <https://youtu.be/c6e6tIxoGq4>.

## Christians and Politics

Hegumen Veniamin was convinced that the Christian faith is realized in all spheres of life, the church should be present in civil society, and every Christian should serve the world, not only by prayer, no matter how important that is, but also by social service and witness.

According to him, Christianity gives us a general idea about God, about goodness, about the fact that God is love, and about where we should move in general. The desire for one's own salvation does not contradict but rather is inextricably linked with the desire that our neighbours not live in degrading conditions but should enjoy decent conditions, so they are not humiliated, insulted, and offended against. The protection of one's neighbour from robbers, from bandits, from rapists is a natural obligation and is implemented in any human society. However, it must be understood that such crimes may be committed not only on the individual level but on the social level as well. Here, Hegumen Veniamin refers to Catholic theology, which has an idea not only of personal but also of social sin committed by ruling or administrative structures if they issue unjust laws or generally act unfairly.

Thus, the struggle of a Christian against sin should also extend to the social sphere and be implemented by various methods, up to a protest or a strike. Despite the apostolic call to "live peaceably with all" (Rom. 13:18), the apostle St Paul himself adds the proviso to this call: "if it is possible." Novik comes to the conclusion that since it is impossible to be at peace with a villain, a deceiver, a swindler, politics also becomes the sphere of critical activities of Christians.

Hegumen Veniamin calls us to stop considering politics as a dirty business. He argues that we are urged to "take a broom, go and turn this dirty business into a clean one." It is precisely the departure from politics, which should be based on gospel values, by Christians that leads to the fact that some distorted politics become captive at the mercy of obviously dubious personalities.

The theologian Veniamin saw Christianity not only as a doctrine of virtue and a personal path of salvation, but also as a worldview that awakens a sense of responsibility for everything that happens around us. For him, the Christian faith is in principle based on empathy, responding to someone else's pain and need. If someone feels bad, a Christian cannot feel good; someone else's problem will necessarily prompt him or her to help.

He explains how this is implemented in the political sphere with the example of the commandment “if anyone wants to sue you and take your coat, give your cloak as well” (Matt. 5:40): if a law is passed that will take away the shirts of others, then it is necessary to oppose such a law, to recall such a politician. After all, bad laws lead to even greater troubles than individual bandits. A single bandit can make a dozen people unhappy, while a bad law can make a million people unhappy. It was based on this principle that Hegumen Veniamin—himself as a Christian, theologian, and Christian priest—considered it necessary to raise his voice against the Law on Freedom of Conscience, adopted in the Russian Federation in 1997, since this law was unfair to a number of confessions and restricted their freedom of conscience.

Hegumen Veniamin draws attention to the fact that a Christian can endure, be ascetic, but only in relation to himself, and not to others. And one still has to take care of one’s neighbour: to feed him, to give him a drink, to visit him in a prison . . . Christianity is a comprehensive worldview: there is not a single corner of our life that would not be subject to a Christian understanding and view, whether this is the economy, the culture, or the area of art and politics.

Fr Veniamin concludes with the need for Christians to combine the two ways. One way can be viewed as being vertical, upward: this is the way of our salvation. The second way lies in the horizontal dimension: it implies care for our neighbours and a sense of responsibility for what is happening around us. Therefore, Christians should participate in politics to the best of their ability, without disdaining this discipline and realm of responsibility by the pretext that politics is a dirty business; if this business is dirty, then you need to make it cleaner.<sup>39</sup>

The experience of the events in Belarus since the political crisis in 2020 shows where the withdrawal of the church from politics leads. Indeed, in this way politics tends to become excluded from the sphere of ethics, and this leads to a situation in which “any crime committed by ‘specialists’ in the field of professional politics is justified in advance.”<sup>40</sup> From such a justification, it is only one small step first to passive and tacit support but then to an active and explicit support of such crimes. Thus, the result of this attitude is a moral assessment of the actions of the authorities, by which the support of those

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39. Христианство и политика Игумен Вениамин Новик, [https://youtu.be/rCLlue\\_eiv4](https://youtu.be/rCLlue_eiv4).

40. Вениамин (Новик), игумен. Православие. Христианство. Демократия / игумен Вениамин (Новик) – СПб.: Алетейя, 1999. – С. 112.

persecuted and repressed is blamed as engagement in politics, while non-participation leads to instrumentalization by the regime, which currently can be observed in the instance of the Belarusian Orthodox Church.

## **The Relevance of the Ideas of Veniamin Novik Today**

Fr Veniamin's views of the role of Christians and the church in society are as relevant today as they were in the past, both in the context of the condition of the church and with regard to processes in society. Fr Veniamin insisted on the need for a serious development of social theology while focusing mainly on a democratic society, which is more in line with gospel ideals.

Recently, we have observed in the Russian Orthodox Church a growing trend toward its politicization and ideologization against the paradoxical background of the so-called non-participation in politics. In fact, this can be regarded as an almost natural consequence: a refusal to actively participate in politics inevitably will lead to a process by which political forces instrumentalize you. This is true and applicable both for the individual as well as for any community, including the church. In addition, the church, as a sacred institution, turns out to be a competitor of the state, especially in the case of a dictatorial state which is prone to self-sacralization, tending to raise itself to the centre of authority and reverence. Under such conditions, the church which is not ready for an independent role in the public field or even refuses this role becomes a toy in the hands of dictators for whom such a passive obedient mechanism—which can be turned on and off on command but does not dare to take any step outside the limits of its own spiritual ghetto—is convenient. This desire was openly stated in the context of the events of 2020 by the Belarusian dictator Lukashenka in reaction to the attempts of the churches to raise their voice on the issues of violence and lawlessness. He declared, “I am surprised by the position of our confessions. My dear clergy, settle down and mind your own business. People should come to churches to pray! Churches and temples are not for politics!”<sup>41</sup>

The scope of Christian ministry, however, as seen by Hegumen Veniamin, should spread to all spheres of life, including politics. Christian ministry should be performed in the spirit of the gospel and not to please those in power. But for this, the church itself has first of all to be renewed in the

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41. “Вы подняли руку на Христа”: как белорусские православные стали частью протестов, а церковь – нет. / BBC News. Русская служба [Электронный ресурс]. – Режим доступа : <https://www.bbc.com/russian/features-54720488>. – Дата доступа: 10.10.2021.

spirit of the gospel. One is not possible without the other. And in this aspect, Fr Veniamin considered it important that “the initiative coming not only from the hierarchy, but also from the laity, the development of numerous

‘horizontal’ ties in the non-liturgical spheres of church life: diakonia, charity, primary spiritual education and missionary work, all that cannot be assigned solely to the hierarchy and without which the Christianization of society is impossible.”<sup>42</sup> The living experience of recent events in Belarus has become a practical confirmation of this attitude.

For the Orthodox, a politically sensitive theology of human rights should serve as a fundamental concept based on a certain theological anthropology which is focused on the dignity of each human person. The recent document of the Holy and Great Council, *The Mission of the Orthodox Church in Today’s World*, insists on the centrality of this concept, arguing also that the “teaching of the Church is the endless source of all Christian efforts to safeguard the dignity and majesty of the human person” (A.1).<sup>43</sup> The legacy of the late Hegumen Veniamin Novik—still not yet researched enough and often marginalized, if not forgotten—could serve here as an example of formulating and founding an original Orthodox approach to human rights. At the same time, his works could provide material for critical reflections on the difficulties Orthodox theology is facing to translate a well-developed and optimistic theological anthropology into concrete legal, political, and societal institutions.

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42. Вениамин (Новик), игумен. Православие. Христианство. Демократия / игумен Вениамин (Новик) – СПб.: Алетейя, 1999. – С. 217.

43. Holy and Great Council, *The Mission of the Orthodox Church in Today’s World*, <https://www.holycouncil.org/mission-orthodox-church-todays-world>.

## You Have Created Us in Your Image and Likeness: Ecumenical Patriarchate on the Understanding of Orthodox and Human Rights

Ecumenical Patriarchate

### Introduction

In 2020, the Ecumenical Patriarchate published an important social document, *For the Life of the World: Toward a Social Ethos of the Orthodox Church*.<sup>1</sup> This major orthodox doctrinal statement on the social ethics of the Orthodox churches was the fruit of critical reflection by many Orthodox Christian lay scholars and Church leaders. *For the Life of the World* offers guidance to navigate contemporary challenges faced by the Orthodox Christian on a wide range of social issues, including racism, bioethics, ecology, and human rights. The document also gives a synthetic presentation of the Orthodox Christian perspective to the wider Christian world. *For the Life of the World* includes a key section on orthodoxy and human rights: Section VII. Orthodoxy and Human Rights, which is reprinted below (with the original paragraph numbering and spelling from the document):

### VII. Orthodoxy and Human Rights: You Have Created Us in Your Image and Likeness

§61 It is not by chance that the language of human rights, as well as legal conventions and institutions devised to protect and advance those rights, notably arose in nations whose moral cultures had been formed by Christian beliefs. Today, we employ the concept of innate human rights as a kind of neutral grammar by which to negotiate civil and legal mechanisms for the preservation of human dignity, general liberty, social stability, equal rights for all, complete political enfranchisement, economic justice, and equality before the law, as well as the institution of international conventions for the protection of the rights of minorities, migrants, and asylum-seekers, and

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1. See Orthodox Church, "For the Life of the World."

against war crimes and crimes against humanity. But the historical roots of such ideas reach down deep into the soil of the Gospel and its proclamation—in the midst of an imperial culture to which such ideas were largely alien—of the infinite value of every soul, and of the full personal dignity of every individual. Every significant modern statement and charter of universal civil rights, from the French Assembly's *Déclaration des droits de l'homme et du citoyen* (1789) to the United Nations' *Universal Declaration of Human Rights* (1948) and its sequels, has confidently asserted that the moral claims of every human being upon his or her society and its laws are more original and more inviolable than the rights of estates or governments or institutions of power. This is an assurance largely inherited from the Jewish and Christian sources of European civilization. Orthodox Christians, then, may and should happily adopt the language of human rights when seeking to promote justice and peace among peoples and nations, and when seeking to defend the weak against the powerful, the oppressed against their oppressors, and the indigent against those who seek to exploit them. The language of human rights may not say all that can and should be said about the profound dignity and glory of creatures fashioned after the image and likeness of God; but it is a language that honors that reality in a way that permits international and interfaith cooperation in the work of civil rights and civil justice, and that therefore says much that should be said. The Orthodox Church, therefore, lends its voice to the call to protect and advance human rights everywhere, and to recognize those rights as both fundamental to and inalienable from every single human life.

§62 God created humankind after his own image and likeness, and has endowed every man, woman, and child with the full spiritual dignity of persons fashioned in conformity with the divine personhood of the Father, Son, and Holy Spirit. In so doing, he brought into being a new sphere of created freedom, the distinctly human space of liberty. According to Orthodox tradition, humanity occupies a peculiarly mediatorial role in creation, existing at once in the realms of matter and spirit, comprehensively possessing the characteristics of both, and constituting a unity between them. As such, humanity is the priestly presence of spiritual freedom within the world of material causality and organic process, imparting the light of rational freedom to all of the material cosmos, and offering up the life of the world to God. And the Church has an especially exalted understanding of what such freedom consists of. True human freedom is more than the mere indeterminate power of individuals to choose what they wish to do or to own with as little interference from the state or institutional authorities

as possible (though there is certainly nothing contemptible in the desire for real personal liberty and immunity from authoritarian forces). It is the realization of one's nature in its own proper good end, one's ability to flourish in the full range of one's humanity—which for the human person entails freely seeking union with God. It is never then the mere “negative liberty” of indeterminate openness to everything. To be fully free is to be joined to that for which one's nature was originally framed, and for which, in the depths of one's soul, one ceaselessly longs. The conventions of human rights cannot achieve this freedom for any of us; but those conventions can help to assure individuals and communities liberty from an immense variety of destructive and corrupting forces that too often conspire to thwart the pursuit of true freedom. The language of human rights is indispensable in negotiating the principles of civil justice and peace, but also serves the highest aspirations of human nature by enunciating and defending the inviolable dignity of every soul.

§63 The chief philosophical principle animating the conventions of human rights theory is the essential priority of human dignity, freedom, equality, and justice in the social, civil, and legal constitution of any nation. No set of laws, no realm of privilege or special concern, no national or international imperative transcends the absolute moral demand of human rights upon the state and all its institutions. In every sense, then, the language of human rights accords with the most fundamental tenets that should inform any Christian conscience. Intrinsic to every theory of human rights, moreover, are certain specific legal, civil, social, and international obligations incumbent upon every government. Among the legal rights that every state must protect and promote are a number of basic freedoms, such as freedom of conscience, freedom of thought, freedom of speech, freedom of the press, and so forth. There are also more specific legal protections that must be provided: the right to safety, the right to legal representation under any circumstances of forensic prosecution or police investigation, immunity from unwarranted searches, seizures, or arrests, protection against incarceration without cause or charge, strict evidentiary standards such as the rule of *habeas corpus*, among other things. Then there are those civil rights that must be regarded as the universal and inalienable possessions of all persons: the right to vote for or against those exercising political power, equal access for all persons to political representation, freedom of association, freedom of religion, the right of peaceful assembly and protest, freedom of workers to form unions, freedom from all forms of forced labor (even for those in prison), protection against segregation, prejudicial policies, or hate crimes, freedom



from discrimination in housing or employment on any basis, the right to equal police protections for all persons, protection of non-citizens against unequal treatment, laws insuring humane practices of criminal justice and incarceration, the universal abolition of capital punishment, and so forth. As for the social rights that every government should insure, these include the right to free universal health care, equally available to persons of every economic condition, the right to social security pensions and provisions for the elderly sufficient to insure them dignity and comfort in their last years, the right to infant care, and the right to adequate welfare provisions for the indigent and disabled. As for conventions regarding international rights, these must at the very least presume the right of every people to be protected against aggression and spoliation by foreign powers or corporate interests, preservation of a healthy and habitable environment, protection against and vigorous legal prosecution of war crimes, an absolute prohibition on torture, protection against displacement, the right of flight even when this involves crossing national borders, and the universal right of asylum for those displaced as a result of war, oppression, poverty, civil collapse, natural disaster, or persecution. Again, the conventions of human rights theory cannot accomplish or even address everything that the Orthodox Church desires for human beings; by themselves, these conventions cannot conquer selfishness in human hearts or create enduring forms of community; they cannot provide a comprehensive and compelling vision of the common good that answers all the material, moral, and spiritual needs of human nature. The language of human rights is, in many ways, a minimal language. It is also, however, a usefully concise language that can help to shape and secure rules of charity, mercy, and justice that the Church regards as the very least that should be required of every society; and so it is a language that must be unfailingly affirmed and supported by all Christians in the modern world.

§64 “A fundamental human right is the protection of the principle of religious freedom in all its aspects—namely, the freedom of conscience, belief, and religion, including, alone and in community, in private and in public, the right to freedom of worship and practice, the right to manifest one’s religion, as well as the right of religious communities to religious education and to the full function and exercise of their religious duties, without any form of direct or indirect interference by the state.”<sup>[53]</sup> In any society, the struggle for religious freedom and for respect for the conscience of every human being provides the most resplendent proof of the power of love over hatred, of unity over division, of compassion

over indifference. A society that protects freedom of religion is one that recognizes that it is only through the preservation of a sphere of spiritual concern, transcendent even of the interests of the state, that a people can sustain the moral foundations of real civil and social unity. Conscience is the voice of the divine law within each of us; so the suppression of conscience cannot help but make a nation's written laws unjust and ultimately self-defeating. Even in lands where one faith enjoys preponderant dominance, the rights of the majority can be truly secured against the encroachments of the state or of unconstrained capital or of other destructive forces only by guaranteeing the religious rights of all minorities. This is why the Ecumenical Patriarchate tirelessly seeks to promote the right of free worship and confession for all peoples. For the measure with which we honor the faith of others is the measure with which we can expect our own faith to be honored.

§65 During the Lenten fast of 379 AD, St. Gregory of Nyssa preached a sermon that was perhaps the first recorded attack on slavery *as an institution* in Western history.[54] Before then, Stoic and Christian writers had protested the mistreatment of slaves, and had (as with Paul's advice to Philemon) advocated treating bonded servants as the spiritual equals of their masters. But no one before had ever raised serious questions about the moral legitimacy of the very existence of bonded servitude. Gregory's argument was, moreover, entirely based upon Christian principles: the universality of the divine image in all human beings, the equality of all persons in the body of Christ, the blood with which Christ purchased all of humanity for himself, the indivisible unity of all persons as brothers and sisters in Christ, and so on. Christianity was born into a world of masters and slaves, one whose economy was everywhere sustained by the sinful principle that one human being could be the property of another. Though the early Church did not pretend it had the power to end bonded servitude in its society, or even succeed in imagining such a possibility, the Christian community at its best did attempt to create a community and even polity of its own in which the difference of masters and slaves was annulled by the equality of all Christians as fellow heirs of the Kingdom, and therefore as kin one to another. In Christ, proclaimed the Apostle Paul, there is neither slave nor free person, for all are one in Christ (Galatians 3:28). Thus he also enjoined the Christian Philemon to receive back his truant slave Onesimus no longer as a slave at all, but rather as a brother (Philemon 15–16). This prompted St. John Chrysostom to observe that “the Church does not accept a difference between master and servant.”[55] Needless to say, Christian society did not over the centuries

adhere faithfully to this rule, or properly recognize and accept the dissolution of the institution of slavery that it logically implied. And, in time, Christian culture came to accept an evil it should have eschewed from the first. Only in the modern age has it become fully possible for the Christian world to repent without any duplicity for its failure in this regard to live perfectly in accord with the liberating Gospel of Christ, who came to set the captives free and to pay the price of their emancipation. Even so, the modern world has not been fully purged of this evil institution. The Orthodox Church recognizes that a commitment to human rights in today's world still involves a tireless struggle against all the forms of slavery that still exist in the world. These include not only continued practices of bonded servitude in various quarters of the globe, but a number of other practices as well, both criminal and legally tolerated. This is why the Ecumenical Patriarchate has recently focused attention on modern slavery. Countless children, women, and men throughout the world are currently suffering under various forms of human trafficking: forced labor for both children and adults, the sexual exploitation of children, women, and men, forced and early marriage, conscription of child soldiers, exploitation of migrants and refugees, organ trafficking, and so on. Today we see that large caravans of persons forced to leave their homes and countries due to violence, famine, and poverty are vulnerable to the worst imaginable exploitations, including becoming victims of organized criminal enterprises. At the same time, there are parts of the world where coerced labor, child labor, unremunerated labor, and labor under dangerous conditions are not only permitted, but even encouraged, by governments and businesses. And some nations—even some that have thriving economies—do not hesitate to exploit various kinds of forced labor, especially the labor of convicts. Orthodox Christians must join the effort to eradicate modern slavery in all its forms, across the world and for all time. The Church re-affirms, therefore, the assertion contained in the *Declaration of Religious Leaders against Modern Slavery* (2 December 2014), to which it is a signatory, that slavery is “a crime against humanity,” and that Orthodox Christians must join together with all who are committed to do all in their power, within their congregations and beyond, to work for the freedom of all those who are enslaved and trafficked so that their future may be restored. On the way to achieving this end, our adversary is not simply modern slavery, but also the spirit that nourishes it: the deification of profit, the pervasive modern ethos of consumerism, and the base impulses of racism, sexism, and egocentrism.

§66 No moral injunction constitutes a more constant theme in scripture, from the earliest days of the Law and the Prophets to the age of the Apostles,

than hospitality and protection for strangers in need. “You shall not wrong or oppress the stranger, for you were yourselves strangers in the land of Egypt” (Exodus 22:21; cf. 23:9). “You shall treat the stranger who lives among you as one native-born, and love him as you do yourself; for you were strangers in the land of Egypt” (Leviticus 19:34). “For the Lord your God . . . shows no partiality . . . He pronounces justice for the fatherless and the widow, and he loves the stranger, giving him bread and clothing; so you must love the stranger, for you were strangers in the land of Egypt” (Deuteronomy 10:17–19). “Cursed is he who withholds justice from the alien” (Deuteronomy 27:19). “The Lord watches over the alien” (Psalm 146[145]:9). “But no stranger has had to live in the street, for I have opened my doors to the traveler” (Job 31:32). “Is not this the fasting I have required? . . . to bring into shelter the poor wanderer . . .?” (Isaiah 58:6–7) “I will be swift to prosecute . . . those who turn the alien away, but who do not fear me, says the Lord of hosts” (Malachi 3:5). “Do not forget to be hospitable to aliens, for thereby some have unknowingly welcomed angels” (Hebrews 13:2). Christ, in fact, tells us that our very salvation depends upon the hospitality we extend to strangers: “Then they too will answer, saying, ‘Lord, when did we see you . . . a stranger . . . and not minister to you?’ And he will reply, ‘I tell you truly, insofar as you did not do it to one of the least of these, you did not do it to me’” (Matthew 25:44–45). These words must seem especially tormenting—and especially challenging—to Christian conscience today. The twenty-first century dawned as a century of migrants and refugees fleeing violent crime, poverty, climate change, war, drought, economic collapse, and asking for safety, sustenance, and hope. The developed world everywhere knows the presence of refugees and asylum-seekers, many legally admitted but also many others without documentation. They confront the consciences of wealthier nations daily with their sheer vulnerability, indigence, and suffering. This is a global crisis, but also a personal appeal to our faith, to our deepest moral natures, to our most inabrogable responsibilities.

§67 The Orthodox Church regards the plight of these displaced peoples as nothing less than a divine call to love, justice, service, mercy, and inexhaustible generosity. The Church’s absolute obligation to defend the dignity and take up the cause of migrants, refugees, and asylum-seekers is clearly stated in the Encyclical of the Holy and Great Council: “The contemporary and ever-intensifying refugee and migrant crisis, due to political, economic and environmental causes, is at the center of the world’s attention. The Orthodox Church has always treated and continues to treat those who are persecuted, in danger and in need on the basis of the Lord’s words: ‘I was hungry and you

gave me to eat, I was thirsty and you gave me to drink, and was a stranger and you took me in, I was naked and you clothed me, I was sick and you visited me, in prison and you came to me', and 'Truly I tell you, whatever you did for one of the least of these my brethren, you did for me' (Matthew 25:40). Throughout its history, the Church was always on the side of the 'weary and heavy laden' (cf. Matthew 11:28). At no time was the Church's philanthropic work limited merely to circumstantial good deeds toward the needy and suffering, but rather it sought to eradicate the causes that create social problems. The Church's 'work of service' (Ephesians 4:12) is recognized by everyone. We appeal therefore, first of all, to those able to remove the causes for the creation of the refugee crisis to take the necessary positive decisions. We call on the civil authorities, the Orthodox faithful and the other citizens of the countries in which they have sought refuge and continue to seek refuge to accord them every possible assistance, even from out of their own insufficiency." [56] The Church therefore praises those nations that have received these migrants and refugees, and that have granted asylum to those who seek it. Moreover, it reminds Christians everywhere that such welcome is a biblical command that transcends the interests of secular governments. The modern nation-state is not a sacred institution, even if it can at times serve the causes of justice, equity, and peace. Nor are borders anything more than accidents of history and conventions of law. They too may have at times a useful purpose to serve, but in themselves they are not moral or spiritual goods whose claim upon us can justify failing in our sacred responsibilities to those whom God has commended to our special care. In our own time, we have seen some European governments and a great many ideologues affecting to defend "Christian Europe" by seeking completely to seal borders, by promoting nationalist and even racist ideas, and by rejecting in countless other ways the words of Christ himself. We have seen nativist panic encouraged in Europe, in Australia, in the Americas. In the United States, the most powerful and wealthiest nation in history—one, in fact, born out of mighty floods of immigrants from around the world—we have seen political leaders not only encouraging fear and hatred of asylum-seekers and impoverished immigrants, but even employing terror against them: abducting children from their parents, shattering families, tormenting parents and children alike, interning all of them indefinitely, denying due process to asylum-seekers, slandering and lying about those seeking refuge, deploying the military at southern borders to terrify and threaten unarmed migrants, employing racist and nativist rhetoric against asylum-seekers for the sake of political advantage, and so forth. All such actions are assaults upon

the image of God in those who seek our mercy. They are offenses against the Holy Spirit. In the name of Christ, the Orthodox Church denounces these practices, and implores those who are guilty of them to repent and to seek instead to become servants of justice and charity.



**Mission, Human Rights, and Religious Freedom**  
**—A Relationship of Light and Shadow:**  
**Historical, Ecumenical, and Interreligious Perspectives<sup>1</sup>**

Dietrich Werner

“Human rights are not the ‘context’ of our mission but its very ‘text’ and the heart of the freedom-bringing Gospel. ‘Human rights’ is not just the slogan of the political activist; it sums up the Christian missionary imperative.”<sup>2</sup> Passionate pleas like this one from the former general secretary of the World Council of Churches (WCC), Emilio Castro, are not found too often within Protestant missiology publications. At first glance, the impression prevails that Christian mission and the discourse and proper understanding of human rights and religious freedom have been rather distant from each other, if not meeting at all.

For superficial first viewing, the picture seems to confirm that mission and human rights have been alien to each other for long periods. An entry on human rights is missing in some of the older German dictionaries on Christian mission,<sup>3</sup> some major monographs on Christian mission history do

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1. This is an updated and shortened version of an earlier essay in German language on „Mission und Menschenrechte“ in : Studienband Menschenrechte und Entwicklung, EKD-KED, Hamburg 1995, also published in: Dietrich Werner, *Wiederentdeckung einer Missionarischen Kirche*, Hamburg 2005, p. 405-428. This footnote should not be numbered but indicated with an asterisk \*

2. Emilio Castro, “Editorial: Human Rights and Mission,” *International Review of Mission* 56:263 (1977), 216.

3. See z.B. H. Rzepkowski, “Lexikon der Mission. Geschichte. Theologie, Ethnologie, Styria Verlag 1992,” in Stephen Neill and Niels-Peter Moritzen, *Lexikon zur Weltmission, Wuppertal-Erlangen*; 1975 can be found on page 347. Under human rights there is only a brief reference to the WCC Commission on International Affairs and Religious Freedom. An exception is the lexicon of mission-theological basic terms by K. Müller and Th. Sundermeier, eds., *Lexikon Missionstheologischer Grundbegriffe* (Berlin: Reimer, 1987). However, there is no contribution by a mission scientist, but there is an article by social ethicist Wolfgang Huber (270ff).



not provide a major essay on the topic,<sup>4</sup> and a major German monography on mission and human rights is still missing—in striking contrast to the situation of research and publications in the Anglo-Saxon world.<sup>5</sup> This will confirm the overall and much cited broader historical assessment that, by and large, a clearer and systematic formulation of human rights was an achievement of modern times, often fought for in opposition with dominating Christian churches rather than with Christian churches as vanguards of religious freedom. A deeper understanding of religious freedom and human rights historically resulted from the historical processes of struggling with attempts for renewal after the confessional wars in Europe in the 17th century and the aftermath of two devastating world wars in the same continent, which led to a process of defining essential human rights on international levels only after the Second World War.<sup>6</sup>

A second glance, however, into the history of Christian mission and the interrelated history of global ecumenism, which resulted from the International Missionary Council and its integration into the WCC in 1961, reveals differing results. These lead us to be more cautious in terms of fast and generalizing statements on the interrelation between mission, human rights, and religious freedom.

Even with superficial knowledge of ecumenical history, the vivid ecumenical debate on human rights<sup>7</sup> before and after the famous international consultation in St Pölten (Austria) in 1974 as well as the WCC assembly in Nairobi in 1975 is widely known. It has initiated a lot of resonance and publications in the Association of Protestant Churches and Missions in

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4. See Stephen Neill, *Geschichte der christlichen Mission* (Erlangen: Verlag der Ev.-Luth. Mission, 1994).

5. See Max L. Stackhouse, *Human Rights and the Global Mission of the Church* (Cambridge, MA: Theological Institute, 1985).

6. See Klaus Schäfer: “Menschenrechte—ein Thema für die Kirchen der Welt,” in *Jahrbuch Mission 2005*, 9f: “Man wird sagen müssen, daß die Gültigkeit der Menschenrechte auch gegen die Kirchen erstritten werden mußte, wobei man allerdings unter den Großkirchen und den Freikirchen in historischer Perspektive auch unterschiedliche Grade der Reserve, Ablehnung oder der differenzierten Zustimmung gegenüber den Menschenrechten beobachten kann.”

7. See Ulrich Scheuner, “Die Menschenrechte in der ökumenischen Diskussion,” *Ökumenische Rundschau* 24 (1975), 152–62.

Germany (EMW)<sup>8</sup> and in resources from regional mission boards<sup>9</sup> as well as in later international conferences.<sup>10</sup> The confrontations of churches in the global South, particularly in Latin America and Africa, with dictatorial regimes in the post-colonial decades, have left clear marks on an intensified ecumenical dialogue on the understanding of human rights in the late 1960s, 1970s, and 1980s.

Thus, a first tentative conclusion concerning the interrelationship between mission, human rights, and religious freedom cannot be properly summarized with the general statement “Christian mission defends human rights”<sup>11</sup> or with the blunt and too often recited other extreme: “Christian mission has violated basic human rights throughout all its history.” The interrelation is too complex to be summarized with easy generalizations. Certainly, there are traditions within Christian mission history, particularly those types of Christian mission which were built on a strategic alliance with colonial, state, or majority powers, which have gravely violated our contemporary understanding of human rights.

It is not difficult to show how much of Christian mission, in its various historical contexts, has been part of and subject or even captive to the spirit of the time. But it is at the same time productive and encouraging to look into those parts of Christian mission history which provide counterevidence to the general prejudice that Christian mission has been an ally of injustice and

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8. See the important EMW publication on Rogate-Sonntag der Weltmission 1978, “Gott gibt uns Rechte, treten wir dafür ein!” Contributions on the topic of world mission and human rights, EMW-Hamburg 1978, with the first two contextual publications “Human Rights in Asia” and “Human Rights in Africa” (series “Weltmission heute”).

9. See the important Votum des Berliner Missionswerkes, which reflects experiences with partner churches in South Africa, South Korea, and Taiwan, among others: *Mission und Menschenrechte. Ein Wort des BMW zu aktuellen Problemen seiner Arbeit* (Berlin: 1984); Peter Saladin, *Der weltweite Kampf für die Menschenrechte – eine Aufgabe für Christen. Texte und Dokumente Nr. 1* (April 1979) (Basler Mission), from the Catholic side; Alfons Brüntrup, “Menschenrechte – ein Thema für Theologie und Kirche?” in *Mission-Korrespondenz 3/85; Mission im Dienst der Menschenrechte* (Immensee: Verlag der Immenseer Missionare, 1986).

10. In the Internationalen Arbeitsgemeinschaft der Missionstheologen [International Working Group of Missionary Theologians] (IAMS), there have been several attempts to talk about mission and human rights. See “Christian Mission and Human transformation: Report of the Sixth IAMS Conference,” Harare, 8-14 January 1985, 70–72, and *Mission Studies* 1:2 (1984), 13–17.

11. For the Catholic discussion, see Jochen Erlenberg, “Von Las Casas bis Kardinal Sin. Mission verteidigt die Menschenrechte,” *Mission aktuell Heft 5* (1988), 26ff.

colonialism. An alternative history of missionary engagement for the rights of Indigenous people, for freedom of thought and cultural traditions, exists as well. Often, the general historical assessment is shared that for a long time, theology and churches on the European continent kept a critically reserved attitude toward the understanding of human rights and religious freedom—particularly as much of the later human rights discourse was inspired by concepts from the French Revolution and based on certain concepts of natural law and autonomous reasoning, which remained alien to much of the earlier traditions of Protestantism.<sup>12</sup>

However, striking voices within early Roman Catholic and Protestant Christian mission history developed a genuine and initial understanding of human rights and freedom of religion which was articulated many decades before the international discourse on human rights came to its culmination in the decades following the Second World War.

In the following paragraphs on *missiological perspectives*, we will first gather some historical evidence to correct the often heard one-sided generalization which would claim a general abstinence of Christian mission from any understanding of human rights and Christian freedom. This is to contribute some historical perspectives on the interrelationship between the debate on Christian mission, human rights, and religious freedom.

Second, we will highlight some *ecumenical perspectives*, that is, leading motives in the early post–Second World War institutionalized phase of the ecumenical movement, as this was a formative phase for much of the conceptual debate on human rights and freedom of religion. Certain relationships exist between the ecumenical concept of *missio Dei*, the emerging understanding of a secular state, and the concept of human rights, including freedom of religion, in this phase.

Finally, we will shed some light on *interreligious perspectives*, that is, the interrelationship between the concept of human rights, religious freedom, and interreligious dialogue which determines much of the later phases of dialogue on human rights and freedom of religion toward the end of the 20th and the beginning of the 21st centuries.

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12. See Huber's brief historical conclusion: "Kirche und Theologie auf dem europäischen Kontinent (stehen) dem Gedanken der Menschenrechte lange Zeit eher reserviert gegenüber; auch für die frühe Missionsbewegung bilden sie deshalb keinen kritischen Maßstab." "Menschenrechte," in *Lexikon missionstheologischer Grundbegriffe*, 271.

## Christian Mission, Human Rights, and Religious Freedom: Some Missiological Perspectives

Beyond a doubt, parts at least of what can be called the history of imperial Christian mission (mission from above, with support by state force, coercion, and violence) can be read as a gigantic list of transgressions against human dignity and freedom on the side of Christian mission. This could be the Spanish Conquest in Latin America; the war against the Herero in Namibia, in which the Rhenish Mission was involved; or large parts of the French mission in Congo. It is not without historical evidence that for many people, after the Pope's famous statements from 1452 and 1493 for the Spanish-Portuguese mission—which authorized the kings of both countries, due to “apostolic entitlement and authorization,” to seize and “take into possession all heathen people and to subjugate the Indigenous People into eternal slavery”—the terms “mission” and “slavery” sounded more synonymous than “mission” and “individual rights of freedom.” However, even referring to this dark chapter of Christian mission history, the outstanding and courageous example of Bartolomé de las Casas should not be forgotten.<sup>13</sup> His manifest from 1546 reminding the bishops to treat the “Natives” with respect, to defend their dignity and to stand up for their liberation from tyranny can be regarded—although historically not successful in his time—as a key contribution to later attempts to argue in favour of equality and justice for all human beings.<sup>14</sup>

For later historical periods, in several historical research publications on the origins of human rights, the two major traditions which have contributed to an understanding later consolidated are usually mentioned: the specific Christian and religious traditions which culminate for the first time in the first American constitution in 1776 (with their Virginia Declaration of Rights, the first mention of the terminology of “human rights”); and the secularist-humanistic tradition based on concepts of the natural law as resulting from

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13. As early as the 16th century, Las Casas developed ideas about the equality of all peoples and the rights of the Indians. See, among others, Fernando Mires, *Im Namen des Kreuzes. Der Genozid an den Indianern während der spanischen Eroberung: theologische und politische Diskussion* (Fribourg: Exodus, 1989), esp. the chapter on “Rationalismus und Egalitarismus von Las Casas,” 166ff; see also “Bartolomé de Las Casas – der Vater der Indios,” in Helmut Höfling, *Gebet hin und lehret alle Völker. Missionare von Las Casas bis Albert Schweitzer* (München, Econ, 1982), 31–72.

14. See “Bartolomé de las Casas,” [http://en.wikipedia.org/wiki/Bartolom%C3%A9\\_de\\_las\\_Casas](http://en.wikipedia.org/wiki/Bartolom%C3%A9_de_las_Casas).

the French Declaration of the Rights of Man and of the Citizen, 1789.<sup>15</sup> Both have their distinct role in the development of the concept of human rights. For the American context, certainly the leading role of the Free Church traditions should be mentioned. Having had to defend their rights to dissent, the dissenters brought concepts of freedom of conscience and freedom of confession into new approaches of social and political thinking. Members of the Free Church, of Calvinist and Anabaptist traditions, formulated these new concepts within their “voluntary associations” to safeguard their acclaimed “divine rights” for self-organization, freedom to assemble, and public meetings for proclaiming their faith.<sup>16</sup> How the heritage of liberal concepts from the Enlightenment emphasizing equal human dignity of each person interrelated with the concepts from Puritan circles according to which all human beings are equally sinful before God has been documented and researched extensively.<sup>17</sup> Crucial for the development of the concepts of human rights was the interaction of Free Church traditions in England and America, with the anti-slave trade movement in the 19th century. Nonconformists, those who stood in opposition to the state church tradition, were leading circles in the campaign against slavery. The Quakers, a religious tradition discriminated against in Europe, formed the first Committee for Abolition of

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15. See Wolfgang Huber and Heinz Eduard Tödt, *Menschenrechte. Perspektiven einer menschlichen Welt* (Gütersloh: Gütersloher Verlagshaus, 1977).

16. “These Liberal ideas (of the equal dignity of each person) had an enormous impact on American Protestantism. American history is peppered with a series of enthusiastic revivals, awakenings, and mass movements designed to induce religious experience. The source of much populism in America is precisely in the Lockean Calvinism of Jonathan Edwards and the Liberal neo-Puritanism of Baptist and Methodist revivalists. Subsequent attempts to seek and save every individual by evoking that kind of experience—in which one would be given religious assurance, be brought to moral rectitude, join in the covenanted community, witness to the universal moral law, and become a responsible citizen—have permanently shaped the American ethos.” Max L. Stackhouse, *Creeds, Society and Human Rights: Study in Three Cultures* (Grand Rapids: Eerdmans, 1984), 72.

17. “The Liberal-Puritan synthesis has brought about a pluralistic society centred in ecclesial and voluntary associations. This society presumes that Judeo-Christian traditions are central sources of meaning, needing understanding of human reason. ‘Freedom,’ ‘equality of opportunity,’ ‘multiple political parties,’ ‘the limited state,’ ‘separation of powers,’ ‘government under law,’ and the ‘relative autonomy of ‘corporations’”—legitimated by the ‘agreement of the people’—emerge from these foundations. The freedom of religion and the right of religions to influence persons and the body politic from an inviolable social space are the basis of these developments. The hallmarks of ‘human rights’ are rooted in these fundamental presumptions” (Stackhouse, *Creeds*, 76).

the Slave Trade in 1778.<sup>18</sup> Evangelicals in England (William Wilberforce and others) played a leading role in promoting the Abolition of Slavery Bill in the British colonial empire. Some mission societies on the continent, such as the Basel Mission, joined the anti-slavery campaign explicitly.

Missiologically speaking, we can observe two key theological motives which come up again and again within Protestant mission history, paving the way for emerging concepts of human rights and religious liberty at a later stage:

- One is the emphasis put on the concept of God having created each human being in his own image (the *imago Dei* concept); if all are created in God's image, nobody can be discriminated against in referring to some kind of inferior status or even non-human status (an example can be amply studied in early Protestant Indian mission history in how missionaries dealt with cultural practices such as dowry and *sathi*, discrimination against *dalits*, the role of women in education, etc.).
- The second motive can be understood as an extension of one of the core concepts of the Reformation itself, namely, the emphasis on the need for each individual to have access to the biblical tradition in his or her own language. The *sola scriptura* principle has had an implicit egalitarian dynamic, as it recognizes and demands that the Bible be translated into all existing human languages. This, in essence, also includes the recognition of cultural traditions and rights for each individual to have access to education and appropriate means to learn writing and reading. The emphasis on Bible translation and education, which in turn led to the founding and spread of primary and secondary schools in Protestant mission territories worldwide, had a profound impact on the self-esteem, the emerging sense of value of Indigenous traditions and cultures, and later even the formation of an anti-colonial attitude and early nationalist movements of young Christian intellectuals in several Asian and African countries.<sup>19</sup>

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18. Klaus Schäfer, "Menschenrechte," 11.

19. See, in detail, Lamin Sanneh, *Translating the Message: The Missionary Impact on Culture* (Maryknoll: Orbis, 1989), esp. ch. 3 ("Vernacularization and Westernization"), 123: "Missionary translation was instrumental in the emergence of indigenous resistance to colonialism. Local Christians acquired from the vernacular translations confidence in the indigenous cause. While the colonial system represented a worldwide economic and military order, mission represented vindication for the vernacular. . ."

It is remarkable to realize that German mission history—although certainly influenced in broad terms by the spirit of its time, marked by cultural superiority feelings, the concept of combining Christianization and civilization, and colonial mentalities—provided some striking early examples of a campaign against colonial subjugation of Africans and an emerging concept of Indigenous human rights. This is worth mentioning and remembering here as one example for two key theological arguments.

It seems to be less known and written about that toward the end of the 19th century there was already an almost self-evident talk about and terminology of “universal human rights” (*allgemeine Menschenrechte*) in some Protestant German mission circles—more than half a century before a legally binding formulation of human rights within the United Nations system was emerging after the Second World War.

An example is the striking plea which the mission’s director, Plath, from the Berlin Mission Society presented in 1886 in his official “desires and proposals how German colonial administrations should treat the natives,” as he vehemently argued that

the newly beginning German colonists should by all means respect the common agreed principles of fidelity and honesty, of the respect of the universal human rights, of impartiality as well as of impartial distribution of similar rights to all natives as well as any strangers which have come to them, the protection of the rights of laborers over against the interests of landlords and colonial administrators, and put this strongly on their agenda, i.e. not only should they proclaim this by their mouth, but put this into practice without hesitation.<sup>20</sup>

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20. G. Plath (Berlin), “Aus der Erfahrung der Missionsarbeit geschöpfte Wünsche und Ratschläge, wie die deutschen Kolonialverwaltungen die Eingeborenen zu behandeln haben,” *AMZ* 13 (1886), 62ff, 68f.: See, in German, Es sollen “die neu beginnenden deutschen Kolonisatoren entschlossen sein (müssen), die als richtig erkannten Grundsätze ‘punktlioser Redlichkeit,’ des *Respektes vor den allgemeinen Menschenrechten*, der Unparteilichkeit, des von allen Rückhaltsgedanken freien Zuteilens gleichen Rechtes an die Eingeborenen sowie an die zu ihnen gekommenen Fremden, des bewußten Schützens der eingeborenen Arbeiter gegenüber den Plantagenbesitzern und Verwaltern und ähnliches auf ihre Fahnen zu schreiben, das will besagen, solches alles nicht nur zu proklamieren sondern es in strenger Gewissenhaftigkeit und mit deutscher Treue auch in der Praxis des Lebens auszuführen.”

It is obvious from further readings that this embryonic stage of the concept of human rights is marked by a general philanthropical-humanistic motive of the Protestant Christian mission movement but is also combined with the claim to contribute to a strategy of cultural uplifting for the Indigenous populations which Gustav Warneck had earlier formulated.<sup>21</sup> Thus, in early Protestant mission, the emphasis put on human rights is not yet a contradiction to the colonial mission mindset but still is understood as part and parcel of Protestant cultural upliftment, as understood within the colonial framework. Human rights at this stage have not yet become a distinct and clear component of Christian mission work, as became a reality in the periods after the Second World War. There is, however, clear evidence that the Protestant principle of *sola scriptura* and the principle of the *imago Dei* as imparted to all human beings, together with a universalist tendency within the Pietist tradition, have paved the way toward an understanding of the equality of all human beings and philanthropy within early Protestant mission.

The most explicit and interesting conceptual contribution to the early understanding of human rights can be found in the continental missions conference in 1901 in Bremen, in which Julius Schreiber from the Barmen Mission Society developed his keynote address on “The Human Rights of the Natives in the Colonies.” Equality, brotherhood, and freedom of all human beings are here regarded as genuine Christian ideals, although on the other hand one can still also sense a clear hesitation to draw too direct and straightforward political consequences from the Christian concept of human rights leading to any legal or state-related framework to protect these rights. It was stated bluntly in 1901:

The concept of human rights owes its existence to Christianity. It stems from the two key truths propagated by Christianity, first of all the doctrine of all human beings created by God and secondly by the doctrine that in Christ salvation is made accessible and real for all human beings without any distinction. From this it results quite clearly that we have to view and to treat all human beings, from whatever race or colour as fellow human beings, i.e., as co-

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21. “Indem die Mission die Heiden zu Christen macht, macht sie sie auch erst recht zu Menschen, und indem sie ihnen das Himmelreich pflanzt, pflanzt sie auch die wahre Kultur. Die Kultur ist nicht der Hauptzweck der Mission, aber sie ist die notwendige Folge, eine Zugabe, ein Nebenwerk, ein von dem reichen Tische des Evangelii abfallender Erdensegen.” Gustav Warneck, *Die gegenseitigen Beziehungen zwischen der modernen Mission und der Cultur. Auch eine Kulturkampfstudie* (Gütersloh, 1879).



heirs of salvation and brothers in Christ. However the Holy Gospel has not drawn any immediate consequences out of this and has not followed that all those who turn to Christianity should immediately free all their slaves; rather the Christian Gospel has brought the general principle of human love into this world, in order that this principle becomes operative and transforms all institutions which are in contradiction with the love of God.<sup>22</sup>

What follows is a radical refutation of the violation of human rights as seen within the practices of German colonial governments in various parts of the world. Schreiber is appealing to mission boards to understand their role as advocate for human rights of the “natives.” It is interesting to see that this courageous plea already had to defend itself in that historical context against the accusation of having fallen prey to “humanistic idealism” and that “we do not want to demand things from the colonial government which are simply impossible or not justifiable by scripture.”<sup>23</sup> But, on the other hand, German mission circles at this stage had developed a list of key components of human rights and formulated their understanding succinctly: mention is made of equal treatment of each human being, the right to education and progress in civilization, protection against discrimination and exploitation, a similar legal position of all natives, a respect for existing cultural traditions and customs, and the right of land property and for Indigenous languages. The right for

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22. J. Schreiber, “Die Menschenrechte der Eingeborenen in den Kolonien, Kontinentale Missions-Konferenz, Bremen 14.-17. Mai 1901,” *Buchhandlung der Berliner evangelischen Missionsgesellschaft* 43 (1901), 13.

23. See ebd. S. 23, wo es dazu heißt: “daß das Christenum zwar die prinzipielle Gleichheit aller Menschen vor Gott klar lehrt, aber keineswegs daraus etwa die Folgerung zieht, daß nun auch sofort volle Gleichheit und Gleichstellung eingeführt werden müßte.”

choosing their own religious identity, however, is not yet mentioned explicitly in this list.<sup>24</sup>

As a consequence of these recommendations from Bremen, the German mission committee was asked to form a Continuation Committee for Safeguarding the Rights of Native People and launched several petitions, which were sent to various German colonial governments.<sup>25</sup>

We cannot follow the historical developments in more detail here, except to draw attention to the fact that it was during the Saxonian mission conference in Halle in 1902 that a key lecture of Alexander Merensky (Berliner Missionsgesellschaft) again pointed to the need to reconfirm “basic rights of natives”: not only from an individual understanding, but also including their collective rights.<sup>26</sup> However, at the same time, it alluded to rather conservative

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24. ebd. S. 24. See the recommendations in literal quotations:

- daß “die Eingeborenen aller Kolonien . . . eben als Menschen anzuerkennen und also auch menschlich zu behandeln sind”;
- daß “namens der Menschenrechte . . . für ihre Erziehung und Hebung nach allen Seiten hin ausreichend Sorge getroffen werden muß”;
- daß im Blick auf ihre Arbeit “Vorschriften zu erlassen sind, um die Eingeborenen gegen Bedrückung und Ausbeutung zu schützen”;
- daß “von Rechts wegen alle Eingeborenen ohne Unterschied in die Wohlthaten einer geordneten rechtlichen Stellung eingeschlossen sein (sollen)”;
- daß “die Menschenrechte der Eingeborenen darin zu respektieren sind, daß man ihre Sitten und Gebräuche..so viel wie möglich ruhig bestehen läßt”
- daß die Bevölkerung der Kolonien einen eigenen Anspruch auf Landbesitz und das Recht auf die eigene Sprache behalten muß.” Abschließend wird sogar die “Bildung eines ständigen Komites zur Wahrung der Menschenrechte der Eingeborenen von seiten der Missionsleute und anderer Menschenfreunde” gefordert.

25. See den Bericht über die 10. “Kontinentale Missionskonferenz in Bremen,” *AMZ* 28 (1901), 342ff, at 344.

26. See the following:

- “Wir verlangen für die Eingeborenen das Recht auf Besitz. Wir verlangen deshalb, daß man ihnen ihren Besitz an Land, Häusern und Herden nicht raube . . .”
- “Wir verlangen für die Eingeborenen das Recht des freien Erwerbes und sind deshalb gegen Einführung direkten gewaltsamen Arbeitszwanges. . . .”
- “Wir verlangen als Menschenrecht für die Eingeborenen auch das Recht auf Bildung. . . .”
- “Wir verlangen auch Schutz der Eingeborenen gegen Gewalthat aller Art. Wir verlangen, daß man ihre Rechtsbegriffe und Sitten schont, daß man ihnen nicht ohne weiteres unsere Gesetze aufdrängt, die ihren Anschauungen und Bedürfnissen gar nicht entsprechen. Wir verlangen auch Schonung ihrer Sprache. . . .” ebd. 168ff.

restrictions in understanding human rights based on the traditional Lutheran two kingdom theory.<sup>27</sup>

It would be worth doing a distinct follow-up study to see what has happened to the general committee for the rights of the Natives as recommended by the German Mission Committee from Halle in 1902.

It is clear, however, that the embryonic form of the (German) Protestant mission discourse on human rights in the context of protest against forms of oppression and mistreatment with the colonial regimes by and large did not yet entail any thinking or discourse on the issue of freedom of religion before the Second World War. The addition of the dimension of religious freedom to the early discourse on human rights within the missionary movement is due to two major, although quite different, contexts. One is the Asian context of Christian mission, which was discussed during the Tambaram conference in 1938; the other is the East and West European confrontation with totalitarianism in the encounter with fascism and communism, which occurred in the second half of the 20th century and was discussed in the period leading to the assembly in Amsterdam in 1948. This will be elaborated in the second major part of this chapter.

## **Mission, Human Rights, and Religious Freedom: Ecumenical Perspectives**

Apart from the role which the emerging debate on human rights has played in regional mission boards and national mission conferences, the internationalization of Christian mission itself had an impact on the understanding and dynamics of the discussion on human rights and religious freedom. The coming together of Christian mission networks in the 19th and early 20th centuries provided the fundamental background for the emergence of the international ecumenical movement. Christian mission included the concept of the universality of the gospel and its relevance for all human

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27. See die Verteidigung Merenskys gegenüber dem erneuten Vorwurf der "Humanitätsduselei": "Die Feinde der Eingeborenen suchen häufig jedes Eintreten für diese Leute dadurch zu verdächtigen und leichter Hand abzuweisen, daß sie uns unterschieben, wir träten törichterweise für gesellschaftliche und politische Gleichberechtigung der Eingeborenen mit den Europäern ein. Das ist aber keineswegs der Fall. Wir vertreten die Gleichberechtigung aller Menschen im Reiche Gottes, aber nicht im Reiche dieser Welt. In letzterem mögen Rang- und Standesunterschiede bestehen mit ihren verschiedenen Ansprüchen und Rechten." Merensky, "Die Mission der Anwalt der Eingeborenen," *AMZ* 29 (1902), 153ff, at 168.

people as a key conviction in its DNA for a long time. It is therefore not surprising, but a consequence of the unfolding of the concept of mission, that the international movement became a major arena for highlighting human rights. Major impulses in this direction were articulated during the world mission conferences organized by the International Missionary Council (founded in 1921). Increasingly, one can observe a gradual widening of the concept of human rights in this process. The three essential challenges of the international missionary movement in the period before the Second World War in which this gradual widening of the concept of human rights and religious freedom can be observed are:

- the debate on Christian mission and racism
- the debate on Christian mission and the consequences of industrialization in countries of the South and its impact on the understanding of human work
- the emergence of new concepts of a secular state which ought to allow for free practice of all religious traditions, particularly in Asia

At the world mission conference of Jerusalem 1928, we see explicit references to an emerging new understanding of human rights, particularly in the session on racism (Section IV) and in the sessions dealing with industrialization in Asia and Africa (Section V). The struggle against racism in IMC circles was deeply indebted to the anti-slavery movement of the 18th and 19th centuries,<sup>28</sup> which was brought about and spread in Europe through the Clapham Sect and its spiritual leader, Lord William Wilberforce (later also the broad anti-slavery campaign of Cardinal Lavigerie).<sup>29</sup> Through close connections between the movement of the Abolitionists with circles

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28. "Grundsätzlich war der missionarische und kolonialisatorische Imperialismus um 1800 von einer neuen, dritten Kraft umgeben, der es, unabhängig von den divergierenden Interessen der Handelsmächte und Missionen, primär um die Beseitigung menschenunwürdiger Behandlung der Eingeborenen durch die Weißen und Araber ging und die darum erstmals aktiv gegen Sklaverei und Sklavenhandel kämpfte. Die Geschichte des angelsächsischen Abolitionismus gehört schon darum in eine Geschichte des Christentums, weil sich seine Promotoren von christlichen Antrieben geleitet wußten, auch wenn sie zu deren praktischer Durchsetzung sich nicht mehr, wie die ähnlichen Anstrengungen spanischer Missionare des 16. und 17. Jahrhunderts an ihre weitentfernte Ordensoberleitung oder den Papst wandten, sondern - wie damals auch an den König - nur noch an die politischen Instanzen ihres Landes." In Karl Hammer, *Weltmission und Kolonialismus* (München, 1978), ch. 4, "Philanthropie und Antisklavereibewegung," 41ff, at 43.

29. See Horst Gründer, *Christliche Mission und Imperialismus* (Paderborn: Schöningh, 1982), 357ff.

of the Church Missionary Society (CMS), these early concepts of human rights for all also found entry into the ecumenical networks of the IMC, particularly due to the leading influences of the Peace Church traditions from Mennonites and Quakers.<sup>30</sup> In the centre of this embryonic concept of human rights, one can find the notion of the “sacredness of personality,” which was understood as integral component of an uncompromising witness for the values of the kingdom of God in society. The Jerusalem 1928 declaration on race conflicts put all its weight on demanding from all Christian churches an uncompromising commitment to the rights of all peoples:

All Christian forces . . . dedicated as they are to prepare for the establishment among all mankind of the Kingdom of God, are bound to work with all their power to remove race prejudice and adverse conditions due to it, *to preserve the rights of peoples*, and to establish educational, religious and other facilities designed *to enable all alike to enjoy equality of social, political and economic opportunity*. The Fatherhood of God and *the sacredness of personality* are vital truths revealed in Christ, which all Christian communities are bound to press into action in all the relationships of life.<sup>31</sup>

Although a distinction is made in the spirit of colonial mentalities between situations of racial balance (two or more races living side by side in the same country) and other contexts with clear dominance of a colonial regime (subject peoples), for countries in which several races are living alongside each other, a clear concept of similar civil rights is demanded, such as for Jerusalem 1928:

To establish the utmost practicable equality in such matters as the right to enter and follow all occupations and professions, the right of freedom of movement and other rights before civil and criminal law, and the obtaining and exercise of the functions of citizenship, subject always to such general legislation as, without discriminating between men on grounds of colour and race, may be necessary to maintain

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30. See Schreiber, *Die Menschenrechte der Eingeborenen in den Kolonien*. Schreiber weist darauf hin, daß die Proteste gegen die Sklaverei in Pennsylvania im Jahre 1688 durch Mennoniten und Quaker begannen, bis sie zur Abschaffung der Sklaverei (in Pennsylvania 1780, in England 1804 und 1807) führten (ebd. 16f.); cf. dazu: Thomas E. Drake, *Quakers and Slavery in America* (New Haven: Yale University Press, 1950).

31. Statement adopted by the Council on Racial Relationships, in *The Christian Mission in the Light of the Race Conflict*, Vol. IV, Jerusalem Meeting of the IMC (Oxford: Oxford University Press, 2019) 237.

the social and economic standards of the community as a whole.<sup>32</sup>

Another remarkable attempt to defend and articulate the concept of a common human dignity of all and fundamental rights of human beings as a key criterion for the economic system was formulated in the Jerusalem report on the Impact of Industrialization in Asia and Afrika (Section V):

In particular he [the Christian] will try the social and economic system by three simple, yet fundamental criteria:

1. Christ's teaching as to the sanctity of personality. The sanctity of personality is a fundamental idea of Christian teaching, which is reiterated again and again in the New Testament. . . . In the light of such sayings any form of economic organization which involves the treatment of men primarily as instruments of production, or which sacrifices the opportunity of full personal development which should be the right of every child, is evidently Anti-Christian. Human beings, the New Testament teaches, are not instruments, but ends. In the eyes of God all are of equal and infinite value.
2. Christ's teaching as to brotherhood. The teaching of the New Testament is that all men are brothers, because all men are children of one Father. . . .
3. Christ's teaching as to corporate responsibility. It follows from the emphasis laid by the New Testament upon brotherhood that a Christian society is under an obligation to use every means in its power to bring within the reach of all its members the material, as well as the ethical, conditions of spiritual growth and vitality. . . . All forces therefore which destroy that fellowship—war, economic oppression, the selfish pursuit of profits, the neglect of the immature, the aged, the sick of the weak—are definitely and necessarily in sharp contrast with the spirit of Christianity. . . . The teaching thus briefly indicated makes it clear that the New Testament does not recognize the antithesis frequently emphasized

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32. Statement adopted by the Council on Racial Relationships, in *The Christian Mission*, 239.

by later ages between individual and social regeneration . . .<sup>33</sup>  
 One could argue that in this vision of a Christian order of society, in which—based on the traditions of the Social Gospel—also economy and industry were understood to be under the rule of basic Christian values and general ethical criteria, already a plea for the holding together of individual and collective human rights is foreshadowed. However, the continental German reaction over against this Anglo-Saxon trend and vision remained ambivalent, if not hesitant.<sup>34</sup>

Taking up and building on the achievements of Jerusalem was the next world mission conference in Tambaram in 1937, a significant first encounter of Christian mission with Asian cultures and religious traditions as well as an implicit critical dialogue with forces of aggressive nationalism and totalitarianism in Europe. The conference in Tambaram widened the concept and understanding of human rights by deliberately adding to equality in terms of race and colour as well as equality in terms of practice and access to religious freedom. Whereas, in the previous discourses, the theological reference point often referred to was an anthropocentric one—based on Galatians 3:28 as

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33. Statement by the Council: *The Christian Mission in Relation to Industrial Problems in Asia and Africa*, Vol. V, Jerusalem Meeting of the IMC, 181, 183ff.

34. See the interesting assessment (or devaluation) by Martin Schlunk on section 6: “Dabei waren diese Männer (die Hauptreferenten der Sektion über die Rassenproblematik) stark von dem geschichtslosen Denken der amerikanischen Demokratie bestimmt. Vor ihrem Geiste stand anscheinend das Zukunftsbild einer Menschheit, in der im Grund alle Unterschiede verschwunden sind, in der jedes Individuum *gleiches* Recht, *gleiche* Bildung und *gleiche* Möglichkeiten der Selbstentfaltung haben sollte. Von keinem Redner ist dies Ideal klar ausgesprochen worden, aber als eine Vision schien es vor ihren Augen zu stehen und ihre Darlegungen zu bestimmen. Auf der anderen Seite sehen die Vertreter der führenden Rassen die Schwierigkeiten in der Lösung nur zu deutlich . . .” – Und direkt distanzierend in Bezug zum Eingangsabschnitt und zur Zentralformel des Berichts in der “Heiligkeit der Persönlichkeit”: “Gewiß kann man den Worten ‘Heiligkeit der Persönlichkeit’ einen biblischen Inhalt geben. Aber von diesem biblisch verstandenen Begriff bis zu den Forderungen des bürgerlichen und politischen Lebens ist es ein *weiter* Weg. In den Verhandlungen wurde der Begriff der ‘Heiligkeit der Persönlichkeit’ immer wieder mit einem Inhalt gefüllt, der aus der amerikanischen Verfassung oder aus dem Naturrecht, aber nicht aus der Verkündigung Jesu stammte. Darum sind aber diese Ausführungen (der Sektionserklärung) nicht überzeugend.” In M. Schlunk, *Von den Höhen des Ölbergs* (Stuttgart, 1928), 161f. and 166).

an early ecumenical key passage for the understanding of human rights<sup>35</sup>—Tambaram was moving to an ecclesiocentric perspective and argument for deepening an understanding of religious freedom: demanding religious freedom according to the theological perspective at that time was demanding the church's rights. The rights of the church were understood as a fundamental condition for the very existence of a Christian church and at the same time as a critical limitation of any claim of state authorities to become a superpower or totalitarian in nature:

There are minimum rights of religious freedom upon which the church should insist, else it will be unfaithful to its calling, and its own power and effectiveness crippled. Without endeavouring to make a final or exhaustive statement on the content of these rights, we hold that they should comprise at least the right

- a) to assemble for unhindered public worship
- b) to formulate its own creed
- c) to have an adequate ministry

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35. See this section:

“1. We would look on every man as a man, without prejudice or discrimination on account of race, birth, colour, class or culture. The sacredness of a human personality becomes a working fact. A man is no longer a man—he is ‘a man for whom Christ died.’ In this new Kingdom, there cannot be Greek and Jew—racial discrimination; there cannot be Barbarian or Scythian—cultural discrimination; there cannot be bond or free—social discrimination; there cannot be male or female-sex discrimination. . . .

2. There are undeveloped races and classes, but none permanently superior or inferior, for every man has within him infinite possibilities.

3. We would therefore demand equality of opportunity for every man for his complete development. All men have not the same abilities, but they should have equal opportunities. An economic system which disregards the personality of the worker, and, for the profit of the few, condemns the many to soul-destroying work for the corrupting idleness, stands under the judgement of God.

4. Since economic means can purchase opportunity there can be no equality of opportunity without a redistribution of the world's economic goods. We therefore stand for a just distribution of those goods among the nations, and within each nation, so that every man may have enough to promote his full growth as a child of God and not too much to stifle it.

5. Among the causes of war we recognize the present inequality of economic opportunity open to various nations which gives to some a privileged position in access to the world's raw materials, financial assistance and open areas which is denied to others.” “The Church and Changing Social Order,” in *The World Mission of the Church: Findings and Recommendations of the Meeting of the IMC in Tambaram 1938* (London, 1938), 128f.



- d) to determine its conditions of membership
- e) to give religious instruction to its youth
- f) to preach the gospel publicly
- g) to receive into its membership those who desire to join it.<sup>36</sup>

Without this clear evidence of an early concept of religious freedom in Tambaran, articulated in 1937, it cannot be understood that issues of religious freedom immediately gained prominence and were given first priority in the agenda of the ecumenical movement and the WCC-in-formation right after 1945. It is widely known that religious freedom was a prominent issue in the founding assembly of the WCC in Amsterdam in 1948. Some three months before the solemn proclamation of the Universal Declaration on Human Rights on 10 December 1948, the Amsterdam assembly (22 August–4 September 1948), in its fourth section (The Church and Disorder of Humankind), formulated a solemn plea for the reformulation of agreed principles of an international legal system and an international agreement on a common understanding of human rights. Religious freedom was declared to belong to the essential human rights, not to be misunderstood as rights which state authorities can grant or withdraw from people.<sup>37</sup>

All human rights, including religious freedom, are traced back theologically to the universal calling of each human being to understand himself or herself as a child of God and of bearing God's image.<sup>38</sup> It is in the post–Second

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36. *The Church and the State*, Vol. VI, Tambaram Madras Series (Oxford: IMC, 1938), 81f.

37. See from the report: “Die Völker der Welt müssen sich zu der Herrschaft des Rechts bekennen”—so lautet die Überschrift über einer Schlüsselpassage des Amsterdamer Sektionsberichtes, der als erste ökumenische Magna Charta des Völker- und Menschenrechts verstanden werden kann. Ausdrücklich wird gefordert, “daß die innere Gesetzgebung eines jeden Landes in Übereinstimmung mit den Grundsätzen eines fortschrittlichen internationalen Rechtes erfolgt. Sie (die Kirchen) erkennen dankbar an, daß die neuerlich erhobene Forderung nach grundsätzlicher Formulierung der Menschenrechte ein neues Bewußtsein internationaler Verantwortung für die Rechte und Freiheiten aller Menschen erkennen läßt.” *Amsterdamer Ökumenische Gespräche Bd. 4: Die Unordnung der Welt und Gottes Heilsplan. Bd. 4: Die Kirche und die internationale Unordnung* (Genf/Zürich 1948), 265f.

38. See from the report: “Wir stellen fest, daß die Rechte der Menschen unmittelbar auf ihre Gotteskindschaft zurückgehen. Der Staat maßt sich etwas an, das ihm nicht zusteht, wenn er glaubt, er könne die Grundrechte verleihen oder versagen. Es ist Sache des Staates, diese Rechte in sein eigenes Rechtssystem einzubauen und ihre tatsächliche Beachtung zu sichern.” *Amsterdamer Ökumenische Gespräche*, 266.

World War period that major attention of the institutionalized ecumenical movement was focused on issues of religious freedom. The first director of the Commission of the Churches on International Affairs (CCIA), Frederick Nolde, travelled from Amsterdam to Paris immediately after the founding assembly of the WCC to attend the preparatory meetings at the UN level which led to the formulation of the Universal Declaration on Human Rights.<sup>39</sup> The aftermath of the German Nazi terror regime and the impact of Russian State Socialism were the background against which this emphasis can be easily understood. Affirming the principles of religious freedom as well as the interrelationship of religious freedom with proper international guarantees for the “protection of civil, political, economic, social and cultural rights” also remained key ecumenical demands on the agenda of the WCC’s New Delhi assembly (1961), articulated in a distinct ecumenical declaration on human rights.<sup>40</sup>

It is interesting that at the world mission conferences in the following two decades (in Whitby 1947, Willingen 1952, and Mexico City 1963), the thematic thread of human rights was not prominent. In these years, the processes of decolonialization, the crisis of traditional Christian mission due to the shock of China—as well as the correction of liberal, social gospel-oriented kingdom of God visions—led to a reconsidering of the concept of Christian mission focusing on its relation to the church rather than to society (“Mission muß wieder Mission werden”<sup>41</sup>) and demanding stricter integration of church and mission. The achievement of the Universal Declaration of Human Rights<sup>42</sup> in the UN General Assembly on 10 December 1948 does not receive explicit reference in the world mission conferences of the 1950s and 1960s. Active lobbying for human rights and deepening of the concept of religious freedom in the 1960s and 1970s came more from the social ethics wing of the ecumenical movement than from the missionary tradition. The

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39. Rüdiger Noll, “Die Menschenrechte und die ökumenische Bewegung—ein Überblick,” in *Jahrbuch Mission 2005: Menschenrechte* (Hamburg: 2005), 27.

40. Neu Delhi 1961: Dokumentarbericht der dritten Vollversammlung des ÖRK, Bericht des Ausschusses für die Kommission der Kirchen für Internationale Angelegenheiten (Stuttgart, 1962), 298ff.

41. Walter Freytag, *Mission zwischen Gestern und morgen. Vom Gestaltwandel der Weltmission der Christenheit im Licht der Konferenz des Internationalen Missionsrats in Willingen* (Stuttgart, 1952), 91ff.

42. Der Text der Allgemeinen Erklärung der Menschenrechte sowie alle wichtigen offiziellen Schlüsseltexte der Folgezeit finden sich in der Sammlung: *Menschenrechte. Eine Sammlung internationaler Dokumente zum Menschenrechtsschutz*, Hrsg.: Christian Tomuschat, DGVN-Texte 42 (Bonn, 1992).

CCIA, however, played a key role in deepening and lobbying for the concept of religious freedom as it was elaborated by the UN Convention on Human Rights (1966).<sup>43</sup> It was the networks around CCIA which decided on an action-oriented program around the Universal Declaration on Human Rights during the central committee in Toronto<sup>44</sup> (1950) and which developed crucial sections in both assembly reports in Evanston<sup>45</sup> and New Delhi<sup>46</sup>; this demanded a proper international legal framework for providing recognition and compliance with human rights standards at national levels.<sup>47</sup>

The human rights agenda, however, was strongly picked up in deliberations and reports of the early regional conferences of churches (REOs), which historically are the offspring of regional mission conferences in Asia and Africa. Both in the reports of the first two East Asia Conferences of Churches in 1959<sup>48</sup> and in 1964, as well as in the second conference of the All Africa Church Conference from 1958,<sup>49</sup> one can find important passages which point to the Universal Declaration of Human Rights as a signal for liberation from colonial bondage and demand for its incorporation into new national

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43. Ulrich Scheuner, *Die Menschenrechte in der ökumenischen Diskussion*, a.a.O. 153ff; Jürgen Moltmann, *Christlicher Glaube und Menschenrechte*, in: "er kämpft das Menschenrecht." Wie christlich sind die Menschenrechte. Hrsg.: Eckehart Lorenz im Auftrag der Studienkommission des LWB (Hamburg, 1981), 15ff.

44. Minutes and Reports of the Second Meeting of the Central Committee of the WCC held at Toronto, July 1950, and Geneva 1950, 72–84.

45. W. A. Visser 't Hooft, *The Evanston Report: The Second Assembly of the World Council of Churches, 1954* (Geneva: WCC, 1954), 140f.

46. *The New Delhi Report. The Third Assembly of the WCC* (London, 1962), 276f. (see also deutsche Fassung oben),

47. For an overview of the most important texts, see also Ans van der Bent, *Vital Ecumenical Concerns: Sixteen Documentary Surveys, Part XIII. Human Rights* (Geneva: WCC, 1986), 243ff.

48. *Witnesses Together: Official Report of the Inaugural Assembly of the EACC*, Kuala Lumpur, 1959, and Rangoon, 1959, 62.

49. *The Church in Changing Africa. Report of the All-Africa Church Conference held at Ibadan, Nigeria* (New York: IMC, 1958), 56f.; for further contextualization of the understanding of human rights in Africa, see also the 1981 declaration of the African Charter on Human and People's Rights, which, apart from reiterating the economic, social, and cultural rights of people, also underlines the right for a "harmonious development of the family" as well as the "affirmation of positive African cultural values"; see Klaus Schäfer, *Menschenrechte*, 16f.

legal and constitutional systems in the countries of the South.<sup>50</sup>

The WCC assembly in Nairobi in 1976 can be regarded as the completion and bringing together of the different streams of thought around human rights and religious freedom in the ecumenical movement. The earlier traditions reminding Christian churches and societies about the “sanctity of each human person” and the passionate plea of the Tambaram conference for religious freedom came together in the new concept of the “basic right to life” which served as a new umbrella concept. It brought together individual and social human rights, economic and cultural rights, religious freedom and protection rights of social or religious minorities—as prepared by the ecumenical study consultation in St Pölten 1974.<sup>51</sup> It is clear that this concept of the basic right for life is developed and conceptualized with the insights of Christian mission and of social ethics traditions within the ecumenical movement, read from the perspective mainly of the churches in post-colonial struggles for independence, of Christian minority situations, and of churches suffering from dictatorial regimes during those decades.<sup>52</sup> The contextualization of the concepts of human rights and religious freedom within an overall framework of social development and properly related to the struggle against economic exploitation and marginalization of the peripheries can be seen as an expression of the growing impulse and role of the churches of the South within the ecumenical movement, which did not cease to ask

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50. An example of this is the declaration of the EACC meeting in Bangkok in 1964, which stated: “The Universal Declaration of Human Rights has exerted considerable influence in countries where such rights were denied to a large section of people. Many of the East Asian countries have written into their constitutions these basic rights which express the liberation of the human spirit. In others, the demand for it goes on. The growing demand for human rights and *the widening scope of the concept itself* are indeed matters of joy to Christians everywhere. The post war world has been constantly made aware that the denial of rights to people in any nation constitutes a threat to world peace and a matter of concern to the international organs and agencies working for peace. There is a special responsibility for Christians everywhere, who believe that human rights are the gift of God to all his creatures, not only for the use of the rights bestowed on them but also for the attainment of their neighbours rights.” *The Christian Community within the Human Community: Statements from the Bangkok Assembly of the EACC* (Madras, 1964), 37f.

51. See die zentralen Abschnitte im Sektionsbericht V, “Strukturen der Ungerechtigkeit und der Kampf um Befreiung,” in Nairobi 1975, 76–84 and 91–94.

52. On the relationship between the Western-liberal, the socialist and the tertium-terranum human rights tradition cf. J.M. Lochmann, “Um eine christliche Perspektive der Menschenrechte,” in *Gottes Recht und Menschenrechte. Studien und Empfehlungen des RWB* (Neukirchen-Vluyn, 1976), 7ff.

critical questions like “Whose human rights?”<sup>53</sup> The universality of human rights which was claimed in the name of natural law or global common values was contextualized within the primary orientation toward Jesus’ solidarity with the poor and marginalized. If human rights are truly to be regarded as universal, then their content and claim has to include the living realities of those who are far from having access to and being able to properly claim the ordinary individual civil rights of civilians in Western society, such as freedom of speech, freedom to assemble, or freedom of religion. Before all of these rights, the majority populations in several countries of the global South still do not have a roof for shelter or simply daily food to live on.<sup>54</sup>

### **Mission, Human Rights, and Religious Freedom: Interreligious Perspectives**

While within this brief overview we cannot provide all details of the multifaceted history of human rights and religious freedom within the Christian mission discourse and the ecumenical movement,<sup>55</sup> the following observations can be concluded in summarizing:

- Without bypassing the darker sides of mission history, which had its own facets of grave injustices and violations of human dignity, it needs to be maintained that early Christian missionary thinking in the 19th and 20th centuries in Protestantism brought about several key insights for the later conceptualization of basic human rights, such as the reminder of the sacredness of the human person, the universal dimension of the missionary mandate, and the emphasis on the rights of each individual to read and to understand

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53. José Miguez Bonino, “Whose Human Rights? A Historico-theological Meditation,” *International Review of Mission* 66:263 (1977), 220–24.

54. “The universal scope and significance of the ministry, death and resurrection of Jesus Christ is not restricted but defined and highlighted in the concrete priority of the poor that he taught and illustrated in his life. This is the heritage and mission that the Church has received. It is not that universality has ceased to have meaning. What happens is that universality is never abstract. There are always historical tests for universality. In biblical terms, the test for the universality of justice is the condition of the poor. Here we have the basis for a deeper understanding of the struggle for human rights.” Miguez Bonino, “Whose Human Rights?” 223.

55. See, for further reading, Ulrich Scheuner, “Die Menschenrechte in der ökumenischen Diskussion,” *Ökumenische Rundschau* 24 (1975), 152–64; Ron O’Grady, *Bread and Freedom: Understanding and Acting on Human Rights*. The Risk book series, No. 4 (Geneva: WCC, 1979); Albert van den Heuvel, “The Churches and Human Rights,” in Council on Christian Unity of the Disciples of Christ, *Missions Mid-Stream* (Indianapolis, 1977), 218ff.

biblical tradition—all of this articulated in critical opposition to some of the worst oppressive dimensions of Western colonialism.

- The anti-slavery movement of American and British missionary Protestantism brought about a strong awareness of the racial dimensions of human rights, while early missionary reflections on the negative side effects of rapid industrialization in the mission territories paved the way for a deeper understanding of social, economic, and cultural rights of Indigenous populations.
- The debate on the interrelation of human rights and religious freedom was strongly developed in the context of Christian mission and the role of younger churches in Asia as well as in the context of defending the existence and freedom of churches in the shadow of totalitarianism and fascism in the period after the Second World War. While the concern for religious freedom was a strong focal point in the years following the 1st Assembly of the WCC, religious freedom was later seen as being integrated with other dimensions of social, economic, and cultural human rights and understood as part of a holistic concept of the “right for life,” as articulated at the Nairobi assembly in 1975.

It should also be mentioned that the WCC, while having shown a strong commitment for the defence of human rights in the struggle against dictatorial regimes in Latin American countries in the 1970s and 1980s, as well as in the struggle against apartheid in South Africa (that is, in the countries of the global South), was later accused of having been less visibly committed to and active in the defence of human rights, especially religious freedom, in the period of the Cold War in countries of Eastern Europe.<sup>56</sup> Dissidents within socialist

states in Eastern Europe in several cases did not feel sufficiently supported by the ecumenical movement, which was structurally handicapped by having to confine its commitment to the mechanisms of internal endorsement with their Eastern European member churches; these often feared a worsening of their own limited space for existence within their given political conditions.

It is only in the context of the UN world conference on human rights in Vienna 1993 that the central committee of the WCC called again for a review

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56. Rüdiger Noll, “Die Menschenrechte und die ökumenische Bewegung—ein Überblick,” in *Jahrbuch Mission 2005: Menschenrechte* (Hamburg, 2005), 33.

of the ecumenical engagement for human rights: this led to seven regional human rights consultations between 1994 and 1997 (with participation of representatives from other religious traditions) and a new general declaration on human rights, which was passed during the WCC assembly in Harare in

1998.<sup>57</sup> Accompaniment of churches in difficult situations of discrimination, the increased use of team visits and fact-finding missions in situations of grave violations of human rights, as well as lobbying and advocacy work in international organizations became stronger components after this process.

In the 1990s it was becoming much clearer that more work and more challenges were emerging regarding the understanding of human rights in multireligious contexts:

- The situation of Christian churches living as religious minorities within Muslim states (such as in Pakistan, Malaysia, and Arab countries) had not yet been adequately dealt with.
- The challenges of minority churches within countries dominated by one major Christian denomination in a socialist context (such as the situation of Baptist churches within Russia) proved to have specific challenges.
- The emerging discourse on the relationship between Western values and Asian values in the late 1990s gained new momentum in the dialogue, with Chinese and other Asian governments claiming that the universal applicability of individual human rights should be questioned or even clearly rejected, as genuine Asian values such a discipline, work, and loyalty to family and social groupings should take priority over an extremely Westernized concept of individual human rights.<sup>58</sup>
- The emerging political Islam, both in Europe and in Africa, developed its own specific understanding of human rights. Examples include the Universal Declaration of Human Rights in Islam from the Islamic Council in Europe in 1981, as well as the Islamic Declaration of Human Rights from the Organisation of Islamic Cooperation, which put certain or even all human rights clauses within and under a particular understanding of Islamic *shari'a*; this

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57. John Clement, "Menschenrechte auf der ökumenischen Tagesordnung," in *Jahrbuch Mission 2005: Menschenrechte* (Hamburg, 2005), 51f.

58. Klaus Hock, "Die Menschenrechte und die Religionen," in *Jahrbuch Mission: Menschenrechte*, 42f.

takes precedent in the understanding of human rights.<sup>59</sup>

- In addition, new challenges emerged with the instrumentalization of religion in new movements of religious extremism from Islamist

groups which radically questioned any universal validity of human rights, as these were regarded as disguised imperial weapons of the West to subjugate Muslim people.

All of these new trends challenged the ecumenical movement to deepen the understanding of human rights and religious freedom, particularly in the context of religious pluralism. The Asian insight, which was particularly developed within Indian theological circles, that defending human rights and religious freedom is possible only while at the same time demanding and defending the secular nature of the state was again articulated strongly.<sup>60</sup> Wherever civil rights are understood in the context of an explicit or implicit religious state concept which identifies citizenship with belonging to a certain religious tradition, one cannot speak of a proper and full respect of religious

freedom, as—according to the International Charter on Human Rights—this includes not only freedom of religion as freedom of individual religious consciousness, but also the rights to express religious beliefs, to teach religious practices, and to hold worship both privately and publicly. The concept of a secular state and religious freedom are therefore inseparable: any religious self-glorification or legitimation of state authorities is therefore to be rejected.

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59. Hock, “Die Menschenrechte,” 39f.

60. See S. Robertson, “Freedom of Religion: A Human Rights Issue,” *BTESSC/SATHRI* (Bangalore, 2007); Ninan Koshy, *Religious Freedom in a Changing World* (Geneva: WCC, 1992); Konrad Raiser, “Die Auseinandersetzung über die Religionsfreiheit,” in *Religion, Macht, Politik. Auf der Suche nach einer zukunftsfähigen Weltordnung* (Frankfurt, 2010), 142ff.





Promoting Human Dignity and Human Rights  
from an African Christian Perspective:

A Reflection on Luke 4:18-19 in the Context of Shrinking  
Spaces of the Civil Society Based on the Experience of  
Churches in Tanzania, Rwanda, and the Democratic  
Republic of Congo

Kahongya Kambale Bwiruka

## **Introduction**

This chapter presents, in brief, the way African churches, especially in the eastern and central parts, contribute to the promotion of human dignity and human rights, both concepts of universal character but rooted in African tradition.

Normally, in a democratic country system, the promotion of human dignity is primarily the task of the government, designed in social projects, and carried out in the social programs of the government. This should include the education system on different levels, starting in the family. Churches as members of the civil society are then involved in the protection and promoting of these universal values, not only as fulfilling a social task, much more as responding to a divine call. This call is the prophetic mission of the church. However, church as a social organization may not always have the easiest task to operate in this regard. In that case, different contexts will show how the church can manoeuvre in a shrinking space in civic society.

## Human Dignity and Human Rights in African Understanding

The African Consortium for Law and Religion Studies<sup>1</sup> has recently acknowledged the multidimensional and plural character of the concept of human dignity expressed as *Ubuntu* in the Nguni Bantu concept or *Utu* in the Kiswahili language. It is a fundamental societal, religious, cultural, and legal concept in Africa. The concept is also inclusive. Africans think of dignity not solely as an individual human characteristic or right but as a concept that implicates most important relationships in solidarity, including family, community, tribe, and nation. Human dignity is always in relationship with others. Such understanding involves human duties, gender considerations, and relationships with a strong sense of reciprocity. Human dignity is the recognition of the dignity of others. Therefore, an African perspective on dignity is outward looking, not just reflecting inward.

The consortium recognizes that human dignity is not an abstract concept. It is, rather, a concrete concern for basic human needs that must be satisfied to be fully human and to enjoy one's basic human dignity. This includes food, clothing, shelter, gainful employment, and the ability to care for oneself and one's family. Social and economic rights are the cornerstones of human dignity. Thus, violating human rights through mass killing, genocide, wars, looting, human trafficking, exploitation of children and women, forced migration and displacement, extreme poverty, and so on destroys human dignity.

The protection of human dignity is one of the state's obligations. This is carried out through the program of the government in social services, the health system, education and human capacitation, building infrastructures, distribution of justice, and security of people, a right and fair economy, and careering for ecology. Whenever the state fails to fulfil these tasks, structures of the civil society remind it. In this perspective, religious organizations play an important role in becoming the voice of the voiceless, called in the Christian context the prophetic mission of the church. The foundation of such a commitment of religious organizations is based not only on playing

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1. African Perspectives on Human Dignity for Everyone Everywhere: An endorsement and elaboration of the Punta del Este Declaration on Dignity for Everyone Everywhere, by the African Consortium for Law and Religion Studies at its Seventh Annual Law and Religion in Africa Conference Law, Religion, and Environment in Africa. Gaborone, Botswana, 19-21 May 2019.

the watchman role, but also on the general belief shared by most Africans that God is the Creator who made human beings (in God's own image). Therefore, protecting human dignity is a reverence of the divine dimension existing in each (human) being, but also a profound respect to the ancestors, present and acting beyond the visible world. Beyond this common understanding, churches in Africa have more reasons to protect human dignity. This is based on the core mission as designed by Jesus Christ himself in the Bible, as we will show later.

## **The Shrinking Space of the Civil Society**

Two concepts need to be clarified. First, the civil society space, and second, the shrinking space.

### *The civil society space*

This concept is related to the place that civil society actors occupy within the society; the environment and framework in which civil society operates; and the relationships among civil society actors, the state, the private sector, and the general public. The civil society has many actors, among them churches, non-governmental organizations, schools and universities, human rights associations and activists, musicians, reporters and journalists, and more.

### *The concept of shrinking space*

This concept refers to the restrictions, generally imposed by the state, on the freedom of action of civil society actors. These restrictions can be clearly expressed in a certain number of laws and regulations but can also be ingeniously done by security services without any official law, most of the time in the name of security. Many areas of public life can be touched by those restrictions, such as expressing a free opinion on public issues, making a critical comment on governmental action, reminding the state of its role, and challenging some decisions of the political rulers.

Different strategies can be used by the state or by the security services to restrict the civil society space, such as intimidation, arrest, judiciary persecution, exile, kidnapping, torture, enforced disappearance, killing, and verbal and physical threats. Human rights defenders, for example, can be attacked and accused of being in political opposition; they can also be accused of threatening national security or to promoting foreign or unwanted Western values. There is also a consistent use of laws and the criminal justice

system to deter human rights defenders, including detentions without charges, prosecution on false charges, or the unwarranted use of criminal laws against them.

## **The Prophetic Mission of the Church in Society: Voice of the Voiceless**

Churches in Africa understand their social commitment as to accomplish the mission entrusted to the disciples by Jesus Christ in Luke 4:18-19, which is a reinterpretation of the prophecy of Isaiah 61:1-2:

“The spirit of the Lord God is upon me, because the Lord has anointed me; he has sent me to bring good news to the oppressed, to bind up the brokenhearted, to proclaim liberty to the captives, and release to the prisoners; to proclaim the year of the Lord’s favour.”

In the interpretation of this text, African churches understand their mission as good news, meaning the restoration of human dignity of each and every one, and strive for it.

According to the historical background, Jesus was asked to read during the worship, a scripture prepared in the Jewish calendar. On that day, they had prepared Isaiah 61:1-5, where the prophet proclaimed God’s deliverance to the people of Israel in the year 650 BCE. At that time, the nation of Israel had been in exile in Babylon for over 70 years. Israel, who believed they were God’s elected, did not understand why God had cast them out and left them in the hands of their oppressors. Kings, priests, and other respected leaders were taken, enslaved, and humiliated. Then the prophet Isaiah (receiving a revelation from God about their deliverance) declared that God would change the condition of his people, that the oppressed today will be the masters of tomorrow. The deported will return to their homeland and the glory of Israel will be seen again. However, in the time of Jesus, the restoration has been just a story, because the land of Israel at that time (6–33 CE) was under the domination of the Roman Empire.

Then, when Jesus was asked to read the text in the synagogue of his village Nazareth, he interpreted this message of the prophet Isaiah as his own mission! He said: “Today this scripture is fulfilled in your hearing” (Luke 4:21). Although people did not understand him, because for them Jesus was not the messiah, they were waiting for this prophecy to be accomplished, and his message connected the two contexts. Politically, the whole land of Israel

was under Roman rule, thus King Herod of the Jews had no real authority before the emperor Caesar. Caesar imposed heavy taxes on the people, who only became poorer and miserable slaves. The rich people could lend seeds to the poor people and then collect all their harvest to refund themselves. Many families became slaves because they could not pay their debts.

On the side of religion, the leaders demanded so many offerings and sacrifices that the courtyard of Jerusalem's temple was turned into a market for sacrificial animals as well as for foreign currency exchange.

On the social and gender aspects, women and gentiles (non-Jewish people) were greatly mistreated, viewed as unclean and unworthy. It might be remembered that a specific prayer was recited in the morning as following: "Praise the Lord who did not make me a gentile; who did not make me a woman; and who did not make me a slave. . ."<sup>2</sup> Such daily prayer shows how the dignity of a woman was not considered, as it will be elaborated through the woman's case study.

For all these reasons, Jesus decided to proclaim the good news, which restores the human dignity of all victims of oppression. This mission is visible in the way Jesus addresses political oppression, gender discrimination, moral deviation, socio-judiciary injustice, health issues, spiritual slavery and demonic possession, economical exploitation, and religious hypocrisy.

### **Jesus Restores the Human Dignity of a Woman: Case Study**

The condition of women in the New Testament is characterized by socio-cultural marginalization. Just one element is to observe how women are mentioned: if she has not been privileged to be a queen, a princess, a mother of a very important person, a wife of a rich man, or a known virgin, her name doesn't count! She will be referred to according to her health challenge (like the woman who spills blood, the woman from whom seven demons were cast out) or her moral behaviours (the woman who pours oil, the Samaritan woman, the adulterous woman). Through these few examples, we can see how discrimination and stigma against women were common in Jesus' time. Women were not given all the rights they deserve. In the Jewish temple, women sat behind a wall. Hence, it was difficult for them to get a good religious education.

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2. Talmud, Menachot 43b, <https://www.sefaria.org/Menachot.43b.18?lang=bi&with=Talmud&lang2=en>.

In some African countries today, when a girl gets pregnant, she is expelled from regular school, while the boy who impregnated her carries on with his studies. What is worse, some churches don't do better. They also excommunicate the young woman, but the boy is somehow free. And after delivering, the girl is asked to make a public confession during the Sunday service in front of the whole congregation. This humiliation is no different from what Jesus witnessed when the religious leaders brought him a woman who had been caught in adultery (John 8). Only the woman was sentenced; the man was protected.

To restore the dignity of this woman, (1) Jesus advocated for her, asking people not to judge their neighbours. He said: "Let anyone among you who is without sin be the first to throw a stone at her" (John 8:7). Then (2) Jesus rescued her life in avoiding using his right to stone her. "Has no one condemned you? . . . Neither do I condemn you" (John 8:10-11). He decided to forgive. Finally, (3) Jesus capacitated her to get a better future with new perspectives. He advises her to avoid such dangerous situations. "Go your way, and from now on do not sin again" (John 8:11). This is how Jesus communicates the good news in applying his prophetic mission.

Today, African churches, members of the United Evangelical Mission (UEM), carry out this good news in a global or holistic mission covering five pillars: advocacy, evangelism, *diakonia*, development, and partnership. How is this mission developed in Tanzania, Rwanda, and the Democratic Republic of Congo?

## **Contextual Approaches**

UEM member churches are in seven countries on the continent, with each one having its particular context influencing the game in the civil society space. This chapter is limited to three that share almost the same borders but at the same time have different socio-political experiences and develop various approaches. Tanzania is an old one-party system country, while Rwanda is a post-conflict country and the Democratic Republic of Congo is a failed state. Each context offers particular attitudes of the state toward the civil actors and provides particular styles of social intervention from the church regarding the promotion of human dignity.

### *Advocacy work in the Evangelical Lutheran Church in Tanzania*

In Tanzania, an old one-party system, one may have the impression that the civil society as well as the church actors tend to accommodate to the

position of the state. The domination of the same ruling party is somehow almost accepted as a historical socio-political fate which doesn't seem to annoy the civil actors that much. Or maybe they feel too weak to challenge those who have been in power for so long.

However, the social commitment of the Evangelical Lutheran Church in promoting human dignity is very important. It appears in different sectors of education, health, *diakonia*, sometimes even advocacy, whenever the church is convinced to work in a shrinking space.

Advocacy is the good news for the poor and the oppressed. Many people are despised, slandered, stigmatized, discriminated against, and even persecuted for various reasons. It may be based on their gender, their age, their race, their physical or mental disability, their economic or social status, their health. In these sectors, the Lutheran Church in Tanzania is very committed to making positive changes in the lives of the victims and restoring their human dignity. They organize vocation schools for early mothers, special training for children with special capacities, and more.

However, the prophetic voice in times of social political oppression takes a long time to be released. Based on recent developments, it is important to consider the historical background of the relationship between the government and the church.

Since independence in December 1961, the country has been under the leadership of one political party, Chama cha Mapinduzi (CCM). At that time, the president, Mwalimu Julius Nyerere, honoured as Father of the Nation, worked in a very close relationship with church leaders. Traditionally, church leaders are regarded as very important people in Tanzania and deserve high respect. Therefore, whenever they wanted to advise the president in any case regarding social justice or human rights, they could come to his office privately and talk to him without any public statement. Then Mwalimu Nyerere could easily follow their advice without having to say that the idea was from church leaders.

When the multiparty system was introduced in 1991, things changed. First, other political parties were allowed to operate in opposition, mainly Chama cha Demokrasia na Maendeleo (CHADEMA) on the mainland and the Civic United Front (CUF) on the island of Zanzibar. Their main attitude was to challenge and criticize the ruling CCM, which has the majority in the Parliament, the government, and the local structures. Usually, the ruler has authority over all things, and rulers tend to claim their rights; no one could



criticize the ruler when he errs. This is how it was. On that basis, everyone who fought for justice against the government or criticized the government was seen as an opponent of the government.

So it is with religious leaders, especially those who have dared to raise the prophetic voice or fight for the rights of the people. Since then, the church leaders did not want to take any position that could be seen as challenging the government.

In such a setting, we have on one hand the ruling party, which is very powerful in all structures and state institutions; on the other hand, there is the opposition as well as the human rights organizations with a very small space on the ground, which makes them feel marginalized.

In this context, church leaders don't want to act as ordinary human rights defenders who denounce injustice, oppression, and violation of freedom of expression from the government. Rather, church leaders play the prophetic role, consisting of smoothly addressing big situations of injustice whenever they think a strong voice needs to be heard. Otherwise, the church remains silent even in situations where their voices are needed, especially in cases like an electoral process.

For example, people don't believe that the National Electoral Commission is free from political influence since the members are appointed by the president. They also refer to a statement by the late president, Dr John Pombe Magufuli, who publicly said to the district authorities that he would be surprised if some of them could send a candidate from the opposition party in the parliamentary contest. So, many candidates who had joined the opposition were obliged to come back to the ruling party—not by their political convictions but rather to secure their lives, their economies, and their families.

Tundu Lisu, the most recent presidential candidate of CHADEMA, the main opposition party, who was victim of a gun attack in 2018 before his exile, did not have a real free space to run his campaigns due to the restriction of media, and sometimes restrictions applied delicately by the transport authority. In the run-up to, during, and after elections, opposition politicians and hundreds of their supporters were arbitrarily arrested and beaten by the police. Some of them, including Tundu Lisu, fled the country after the elections, fearing persecution.

In addition, political debates are not allowed if they are not held during the short electoral campaign. Otherwise, freedom of expression, association, and peaceful assembly don't have enough space. On this issue, only a few bishops could raise their voices.

However, the church did not hesitate to challenge the government's stand regarding the controversial issue of the COVID-19 pandemic. At the beginning of 2020, while the government did not declare any lockdowns, some bishops asked Christians to stay home to avoid physical contacts and eventual contamination. Bishop Benson Bagonza of the Diocese of Karagwe, who has been known to challenge the government, is the only one from the Lutheran side who asked the congregants to stay home and take part in the online church services organized by the pastors.

Of course, until May 2020, Tanzania was reporting on the cases of the coronavirus and on the health measures to observe. But suddenly, the late president declared in June 2020 that the country was free of the coronavirus. This statement had turned the pandemic into more of a political issue than a health issue. Therefore, wearing masks and observing social distance tended to be seen as a kind of offence or disrespect to a patriotic attitude . . . At that time, it was indirectly forbidden to declare that a relative was infected by or had died of COVID-19. But when the cases started to increase with the second and third waves, more bishops raised their prophetic voices to appeal to Christians to be aware of what was going on.

For example, the presiding bishop of the Evangelical Lutheran Church of Tanzania, Bishop Dr Fredrick O. Shoo, wrote a message to church leaders on 26 January 2021<sup>3</sup> to advise congregants to observe the health measures against COVID-19. He advised church leaders and congregants not to tempt God (Luke 4:9-12) in relying only on faith and prayer but neglecting advice from health experts, such as observing proper health regulations.

On the same day, Archbishop Gervas John Nyaisonga,<sup>4</sup> president of the Tanzanian Catholic Episcopal Conference, issued a letter acknowledging

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3. "Evangelical Lutheran Church of Tanzania Cautions Its Faithful of Covid-19 Risk," The Citizen website, 32 January 2021, <https://www.thecitizen.co.tz/tanzania/news/national/evangelical-lutheran-church-of-tanzania-cautions-its-faithful-of-covid-19-risk-3274962>.

4. Fredrick Nzwili, "Tanzania Bishops Urge More Covid Protection," *The Tablet*, 4 February 2021, <https://www.thetablet.co.uk/news/13824/tanzania-bishops-urge-more-covid-protection>; see also Allen Ottaro, "Archbishop Nyaisonga of Tanzania Issues COVID-19 Alert," *The Catholic World Report*, 2 February 2021, <https://www.catholicworldreport.com/2021/02/02/archbishop-nyaisonga-of-tanzania-issues-covid-19-alert>.

that Tanzania was successful in dealing with the spread of the coronavirus, attributing the success to deep faith in God, heeding the directives of medical professionals, and caring for each other. In the letter, he raised alarm over a spike of new COVID-19 infections in 2021, noting that “many countries have confirmed they were facing challenges in tackling the spread of corona and deaths as a result.” He further pointed out that Tanzania “is not an island,” and the country should instead be on high alert by taking precautions and crying to God even more to avoid the pandemic. The archbishop appealed to his brother bishops to continue providing leadership and guidance to their flock in the fight against the coronavirus from all aspects: spiritual, physical, medical, and social.

These appeals of the church did not change the scepticism of the late president, who on the following day, 27 January, told the health ministry not to accept everything coming from outside the country before proving for themselves that the product—in this case, the COVID-19 vaccine—would not harm the population. He said, “The Health Ministry must know that not every vaccination is meaningful to our nation. Tanzanians must be mindful and prove beyond reasonable doubt so that we are not used for trials of some doubtful vaccinations which can have serious repercussions on our health.”

Nevertheless, the denunciation of the church leaders had opened the minds of people to beware of the dangers of the virus and, furthermore, the uselessness of hiding the reality. Suddenly, some officials started to speak openly about their infection. The first vice president of Zanzibar, Seif Hamad, and his wife were reported to be affected and hospitalized on 31 January 2021; he died. This brought back to the surface the controversial debate on the coronavirus pandemic which, for long time, was not a matter of discussion in the public space.

Even before the official announcement of the death of the late president, Dr John Pombe Magufuli, the police had arrested four people on suspicion of spreading rumours on social media of his illness and death. During the funeral, the presiding bishop of the Lutheran Church, Bishop Dr Shoo, asked for these people to be released.

The intervention of the church on human rights is also in the gender-balance sector. The late president, Magufuli, had decided to chase away from school any girl who becomes pregnant during her education. They are not allowed to continue their studies in formal schools. They are to be admitted only to alternative learning centres, where the four-year lower secondary

school curriculum was compressed into two years. Meanwhile, the boys who impregnated them continue with life and studies as usual. It is true that the intention of such a strong measure was to discourage early pregnancy, but this measure did not consider the whole socio-economic context leading to early pregnancy. It is the role of the church to campaign against this measure and to offer equal education chances to young girls, who are victims of such injustice. But the way out of this situation is still long.

### *The church promoting human dignity in Rwanda*

Two big churches in Rwanda are members of the United Evangelical Mission: four dioceses of the Anglican Church and the Presbyterian Church. They all contribute enormously to the restoration of human dignity. However, as churches in a post-conflict country, they both focus their prophetic mission more on the sectors of education, health for all, and capacity building of youth, women, young women, early mothers, and economic capacitation of poor households.

After the genocide of 1994, the Rwanda government developed a strong and militarized political system which controls everything in detail. Church organizations were blamed for having failed to protect the victims or simply for having directly or indirectly participated in the genocide. Therefore, churches have lost the traditional prestige and respect from the state. Journalists and media were also accused of spreading the message of hatred. In such a complex setting of mistrust, no actor of the civil society was considered worthy to be heard, especially when it comes to defending human rights or challenging the government's actions. In this regard, members of opposition parties, human rights defenders, and even church leaders who dare to raise a prophetic voice against any form of shrinking space can easily be persecuted for security reasons.

In fact, different reports<sup>5</sup> show that the independence of civil society organizations in Rwanda is seriously compromised in practice. Those that cooperate with the government can operate relatively freely, while those who don't want state interference experience harassment or closure. In 2016, few active human rights organizations were operating; some of those that did exist have been either undermined by state intelligence infiltration or weakened by internal divisions. In October 2015, seven steering committee members of the remaining rights organizations, the Great Lakes Human Rights League (LDGL), were arrested and briefly detained. The LDGL's acting executive

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5. "The civil space development," <https://monitor.civicus.org/country/rwanda>.

secretary, Epimack Kwokwo, was arrested in 2015 and was continually harassed, including through threatening phone calls, because of his work to protect human rights defenders. Kwokwo was expelled from the country in May 2016. Surveys of civil society representatives in 2011 were generally positive about their experiences of registering an organization, although some have criticized the requirement to reregister every year. Relatively enabling NGO laws passed in 2008 and 2012 are undermined by the imposition of excessively bureaucratic requirements for registration and limits on overhead spending by INGOs.

In such contexts, churches have chosen the education approach to carry out the prophetic mission. Ignorance makes a person a slave and poor in mind, but education opens blind eyes. There is physical blindness and mental or spiritual blindness. Though the first one makes life miserable, people still learn how to deal with it. But mental and spiritual blindness is more dangerous. Giving a human being the capacity of seeing is part of the prophetic mission of Jesus entrusted to the church.

If the most recent genocide in Rwanda was caused by the fact of ignoring and denying the dignity of others, then to avoid such a tragedy happening again, people need to be educated to respect the dignity of others. They need to learn to work together in cooperation and partnership to overcome their collective challenges. The focus of the work of the church is on the value of “living together.” This leads to economic growth of all and therefore to the development of the country. Furthermore, churches in Rwanda are deeply committed to healing the psychosocial wounds caused by the tragedy and its consequences for a better future of the whole community.

### *Prophetic voice of the church in the Democratic Republic of Congo*

Since the 1990s, the Democratic Republic of Congo has been a failed state in which the national and international rules and regulations cannot be totally applied. One reason for this is that the state doesn't have entire control of the whole territory. Some territories in the eastern part, especially the provinces of South-Kivu, North-Kivu, and Ituri, are controlled by local armed groups, foreign rebels, and now partially by international Islamic terror movements. These groups apply their own regulations, violating everyone's rights. On the other side, the official security instruments of the state, as well as the different agents, are deeply corrupt and don't care about human rights. The last three electoral processes (2006, 2011, and 2018) have been conflictive because of

constant contesting of the results by many candidates who believe they have won the vote.

In such contexts, the government has not been able to meet the very primary need of the population, such as elementary education, health, security, food, drinking water, electricity, and infrastructure. In a country known to be rich in mining, forests, water, and fertile soil, the government is not able to raise an annual budget over six billion dollars in the last 30 years. More than 70 percent of the budget is used to pay the scandalously huge salaries of political institutions (president, government, Parliament, and Senate). The president himself, from 2019 until October 2021, has made more than 115 trips outside the country, often taking a delegation of more than 100 people with him. This costs a lot of money. Therefore, the social sector, such as the education and health systems, which have been supported for a long time by Catholic and Protestant churches, remain on their shoulders with a very small amount from the national budget. Indeed, in their social commitment, the Catholic and Protestant churches have supported education and health systems since missionary times. So far, their schools and hospitals represent more than 80 percent of the entire infrastructure of the country. The best primary and secondary schools and universities are those belonging to these two churches.

The new president, Felix Tshisekedi, who grew up in opposition his whole life, gave some positive signs since he took office in January 2019, such as releasing some political prisoners, human rights activists, journalists, and so on, but unfortunately, the situation has not changed.

Socially, there is discontent and strikes in all sectors: nurses and medical doctors, students, teachers, and families, due to the increase of food prices, and more. Indeed, regarding education, President Felix Tshisekedi has decreed free basic education to allow children from very poor families to have access to education. This measure was appreciated by all, and the number of children in school increased by more than two million. But this measure was not followed by good planning. No new schools were built, and the number of teachers was not known by the government. Unpaid teachers have not been paid so far, and those who were paid have had their salaries reduced.

For example, teachers in some Catholic schools who were paid around \$700 to \$900 by parents are now paid around \$120 by the government. Classrooms that had 30 to 40 pupils ended up accommodating more than 80 children. Many teachers were registered by the Ministry of Education but

did not receive a state salary, and other teachers were not yet registered by the ministry. Both categories used to be paid by the parents. Today, they are left outside the system.

Beyond this social crisis, the Democratic Republic of Congo is going through a political crisis created by President Felix himself. He wanted to control the judicial and legislative system, even the independent electoral commission (CENI), to assure his re-election in 2023. He therefore manipulated some religious leaders involved in the process of choosing the new president of the electoral commission. Freedom of expression is now limited: journalists are regularly arrested, even jailed, protests are violently repressed, and corruption has reached a very high level of the state. Potential presidential candidates are prosecuted for different reasons.

Today, the Catholic and Protestant churches are involved in a process of bringing all socio-political actors together to restore democratic principles and guarantee an independent and credible election in 2023. They constantly call upon the government to properly spend money in paying the salaries of teachers, nurses, doctors, and others and to find solutions for the social problems of the population. This is not the first time that church leaders warn President Felix Tshisekedi about the way he should rule in respect of human dignity.

During its general assembly (22-27 November 2020), the Baptist Church in Central Africa (CBCA) issued a public statement supporting the political consultation that had been started by President Felix to get a new majority in the Parliament. However, the synod recommended that the president promote dialogue and peace in the country. From the same perspective, the Catholic bishops, after they had been consulted by President Felix, went to meet with former president Joseph Kabila, candidate Martin Fayulu (who always claimed victory over the presidential election of 2018), and the then prime minister, Sylvestre Ilunga Ilunkamba. Their clear message was that President Felix should avoid confrontation and rather promote dialogue and peace. In addition, they highlighted that the country should not be hostage to any kind of political agreement, and that the social life of people should not be a victim of endless conflicts only for the interests of politicians. The question is: Was this message understood?

## **Conclusion**

Promoting human dignity and human rights in African churches is done through different approaches, depending on the context. Some will focus on a diaconal approach, taking care of the neglected and marginalized categories, while others will prefer to empower people in different sectors of life: the economy, self-employment, building health structures and schools, and developing cooperatives. However, the advocacy aspect, which is seen as the most expressive form of protecting human rights, is applied in different ways, depending on the nature of the political system on the ground. Some churches, as in Tanzania, may use a smooth and cooperative approach to warn the government. Others, as in the Democratic Republic of Congo, may feel ready to openly challenge the government, even to actively take part in a public protest, to set free the oppressed people from the chains of an oppressive regime.





## Human Rights in a World of Diversity: Chinese Perspectives

Theresa Cariño

### **Human Rights and a Legal Framework**

Setting up a strong legal infrastructure, which has been a very important part of China's reform and opening up, has been happening over the last four decades.

China's engagement with the West has been essential in China's move toward putting in place more "democratic infrastructure": rule of law is an accepted concept, and the evolving legal system has given increasing participation by the public. There have been significant reductions in the use of the death penalty. There has been an increase in the mention of rights. New laws on women's and children's rights have been put in place in the last few years. More than 85 percent of the population now have the right to decent living conditions, including access to clean drinking water, electricity, roads, bridges, mass rapid transportation, adequate access to education and health care. Social security has improved for all, including the elderly and people with disabilities.

Nevertheless, it has to be emphasized that setting up the legal framework is one thing; making sure the laws are well implemented is another. Many more lawyers need to be trained, and law enforcement agencies, such as those on ecological protection, have to be empowered and trained as well. Needless to say, the rich and powerful always try to find means of circumventing the law. That is part of the problem.

### **The Adherence to Human Rights Requires More than Legislation**

It also has to do with the cultivation of moral and ethical principles and behaviour through education and positive reinforcement. There has to be a building up of mutual trust among people. I think that one of the negative results of capitalist globalization has been the rise in cut-throat competition

leading to an increasing lack of mutual trust among people. This is now seriously aggravated by unending streams of fake news in social media.

From an Asian perspective, there has to be a holistic approach to human rights. In human rights implementation, we need to take into account the concern with contextuality, values, and culture.

- Human rights ought to be community-based, pluralistic, and inclusive, especially in multi-ethnic, multi-religious, and multicultural settings.
- Human rights have to be integrated with local culture, not imposed, given that they have to operate in a non-Christianity centric society. With the exception of the Philippines, Christianity in Asia has been regarded as a foreign religion that is also a minority religion. In China today, seminaries are exploring traditional and cultural elements as part of the ongoing process of rooting Christianity in Chinese soil. To build a broader understanding of human rights, there has to be serious consideration of how human and social relations are seen in the local culture, not only in the Bible.

## **Biblical and Cultural Roots of Human Rights**

With their emphasis on justice, human dignity, loving your neighbour, some of the biblical references cited in the presentations of the Wuppertal conference resonate well with Chinese Christians and are found in the writings of 20th-century Chinese theologians. What I would like to point out in addition is that in more recent efforts to contextualize Christianity in China, theologians are looking at cultural and ideological elements in their environment. These would be important for developing a broader understanding of human dignity and human rights in the local context.

One idea is that of the Cosmic Christ—Tao, a Taoist term which has been used in the Chinese Bible to translate “the Word”: it denotes the incarnation and God’s love for all of humankind. The idea of the Cosmic Christ is all-encompassing and has pluralistic, inclusive connotations. It includes human flourishing *and* creation. God is love, and therefore redemption cannot be separated from creation.

The second aspect is an orientation toward a Christocentric theology. The question for many Chinese Christians is how to emulate Christ; how to follow in his footsteps—with ethical and behavioural implications at the

personal level; how to be human. In Confucianism and Taoism, it is said that “To be human is to be benevolent.”

The third aspect to consider is elements in Chinese political ideology. There is the shared understanding that economic, social, and political inequalities undermine human rights and deprive people of human dignity. Inequality leads to discrimination. The Chinese government lays heavy emphasis on distributive justice. This is widely supported by the Chinese people.

### **What Does This Mean in Practice?**

In 2008, Amity Foundation,<sup>1</sup> in distributing aid to victims of the terrible Sichuan earthquake, wanted to give extra to those who were especially vulnerable. This started a huge debate about how to define who is vulnerable. Everyone felt vulnerable and sensed that they were all victims. Amity staff insisted that the communities had to define vulnerability in their midst—it was not for Amity to impose its own definition on them. In the end, the villages decided that families with disabled members, who were economically challenged, with elderly to care for, or single-parent families were the most vulnerable. This generated compassion and raised sensitivity to the needs of neighbours. The process of thinking about the vulnerability of others became transformative in its effect.

### **What Can Chinese Churches Do in Relation to Human Rights?**

Ecumenical *diakonia* has been an area of transformative engagement in China. I would like to cite the experience of the Amity Foundation. Environmental conservation—planting of trees and renewable energy projects—were supported by Amity in close partnership with ecumenical partners from the North. At the local level, there is space for quiet experimentation and setting up of viable models, such as education and training. Churches have been supporting HIV/AIDS work with those living with AIDS, and some are quietly working with LGBT groups.

It is important to understand that China is not monolithic politically or socially. Neither is the Chinese Communist Party. More moderate and reform-oriented political leaders often look for evidence to back up their policy options for change. One of the roles of NGOs and faith-based organizations is to provide this evidence.

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1. See <https://amityfoundation.org/eng>.

## What Can Be Done Ecumenically

- There should be more intercultural exchange and dialogue in the form of ecumenical *diakonia* that has led to important elements of inculturation of values, such as participative democracy and human dignity.
- We need education for human rights: spreading the ideas of the 2030 Agenda for Sustainable Development in churches and Chinese classrooms. It is a major entry point for dialogue on human rights. In its Summer Academy on Diakonia, Amity produced a booklet of Bible studies on each of the 17 Sustainable Development Goals (SDGs), developed by Khell Nordstokke and translated into Chinese on the biblical basis for supporting the SDGs.
- There should be renewal of an ecumenical commitment to solidarity on human rights.
- At the same time, we should develop an ecumenical consensus on ethical and moral principles that underpin human rights, biblically rooted but also *open and sensitive to contextual elements in the non-Western world*.

## Obstacles to Compliance with Human Rights

One of the greatest obstacles of ensuring compliance with human rights is the heavy reliance on a legal system that originated in the West and that is seen in the global South as favouring the rich and the powerful. We desperately need to overcome the instrumentalization of human rights as a political tool and weapon linked to the imposition of economic and other sanctions. Human rights have been made into a formidable tool of geopolitical competition between major powers; the brazen inconsistency in their application has resulted in heightened distrust and growing cynicism toward the idea of human rights. We are tired of double standards. I believe our biggest challenge here is to address the universality of human rights and its implementation in a world of diversity. We cannot deny that the world is diverse and that the number of voices has grown for greater participation from the global South in something as essential as human rights. It is not just the principles that matter; it is our practice that will make an impact.

## Human Rights: Latin American Perspectives

Reinerio Arce-Valentin

The issue of human rights is something that is talked about a lot in different sectors of our societies. The media, objectively or not, often condemn human rights and offer information about the places where their validity is limited and where societies or certain groups fail to comply with them. Politicians include the topic in their debates and speeches. In short, human rights are something that are referred to frequently but are also used for political and hegemonic benefits and political interests of certain groups in various parts of the world. At the same time, human rights language has become a slogan which is used as a political instrument for certain hegemonic interests against others with certain intentions of controlling others by force.

For us, the challenge is how to address the issue from our Christian faith, which implies not only speaking up and working for these rights, but also denouncing the absence of their implementation and acting consistently in favour of defending human rights in any society. For me, from the biblical theological point of view, human rights should be based on the greatest demand we can have from biblical tradition, which is to work for and to enhance life. The God of scripture in whom we believe is the God of life, the giver of life. Biblically speaking, the central message of Jesus our Lord, the Son of God, is that he came to bring us “life and life in abundance” (John 10:10). Full life, life in abundance, was the purpose of God’s revelation with his creation, which will only be fulfilled fully in his reign but for which he has asked us to work as his co-creators and co-makers in the present time.

The commitment to life becomes a concrete reality through the strength of love for justice. There are three distinct, though closely linked, biblical concepts of justice. The first is more linked to legality, in the sense of compliance with the law and punishment for those who transgress it. This dimension we call retributive justice: God is the judge of the living and the dead.

A second concept that is fundamental to understanding biblical justice is expressed in what we could call distributive justice. When the Bible speaks

of justice, it also refers to the distribution of the goods of God's creation for all human beings. It is about the distribution of resources and goods that God has created for all of humanity. God makes his creation as his house, his abode (*shekinah*). And God, Father and Mother of all, distributes with justice the goods of his house, which means God distributes according to the needs of each one. That is why, over and over again, in the Old Testament we are told to remember the widow and the orphan, for they were the most destitute in the societies of that time. That is what divine intentionality consists of, as clearly expressed by the writers of the creation myth in the first chapters of the book of Genesis. This plan of distribute justice for all is not only for human beings but for all of God's creation. Perhaps by violating this divine distributive intention we are committing the greatest violation against human rights.

The third way of understanding biblical justice is restorative justice. Hence, this refers to the meaning of the biblical Jubilee that was part of the Sabbath tradition, where the land, the animals, and all other things in private hands, which originally formed the heritage of the community, were to be returned to their original state. In the same way, slaves were to be freed. But in addition to restorative justice, biblically speaking, this Jubilee tradition refers to the restorative action related to the consequences of unjust practices. In other words, today this means that a restoring is needed in some way with regard to the consequences of our sinful actions that have harmed others or nature, since both are part of God's creation and deserve our loving care. This is about restoring justice and life in the light of not only the consequences of individual sin but also of structural sin through systems that promote injustice and inequalities, the exploitation of human beings and nature. All of these dimensions then lead us to work and to contribute to the establishment of just social economic systems through our social and political actions that bring us closer every day to the reign of God, which can be described as justice and peace through the practice of love.

“Therefore, if you bring your gift to the altar, and there you remember that your brother has something against you, leave your gift there before the altar, and go, be reconciled first with your brother, and then come and present your offering” (Matthew 5:25-26).

When referring to us by starting from this biblical conception of the God of life that leads us through love to be agents of justice in biblical terms, we have to be clear that the first human right that must be saved is that of the poor and marginalized, to restore their right for life and fullness of life. The

first violation of any human right that must be eliminated is poverty and the economic and social marginalization in which many human beings exist.

Thus, the foundation of the Christian commitment to human rights relates to the basic biblical concept of God as the giver of life and life in abundance. This is manifested through a commitment to justice that will bring peace, which is not only the absence of war but also implies the well-being of all.

There has been a manipulation of the issue of human rights from politicians and actors in international relations. If we want to contribute to the challenges of human rights from the perspective of Christian faith, we have to start with this foundation. We must be alert about the meaning of the concepts of human rights, as they can be and have been used like a double-edged sword: in the name of such rights, positions have been justified which are directed against the poor in their struggle for emancipation and in their efforts for building a new society where peace is a reality as a result of justice. Therefore, the understanding of human rights has to be reflected and expressed critically and contextually to make sure that they remain consistent with the biblical intention to eliminate all violations of rights and to provide life in its fullness for millions of people in the world.

*Mishpat*, as many contemporary biblical exegetes have shown, means salvation for the poor. This implies rights for the exploited, justice for the oppressed, essentially consisting of freeing them from their inhuman condition of death and dehumanization.

The unfortunate thing is that often two aspects are ignored. The first has to do with what was stated above about divine justice: this aspect is the basis for peace, which has often been ignored. It is not that freedom of expression and other human rights are not considered as human rights, but rather that before and above all other concerns, we have ignored *the fundamental nature of the right to live*. The second has to do with the fact that we manifest ourselves in different ways when there are political problems that result in human rights violations, but the rest of the time, we remain silent in the face of the death of millions of people every day due to extreme poverty and now the COVID-19 pandemic. There are still places where millions of people have not even been able to be vaccinated against COVID-19. In the same way, governments sanction countries for human rights violations, but these sanctions are often highly selective so that other countries and governments that are allies are not pointed out. In addition, many economic sanctions cause pain and death among the inhabitants of these sanctioned countries.



One last thing I would like to mention here is that we have left aside violations of the rights of God's creation, as if this were not also a great violation against life. This aggression against nature not only compromises her but at the same time violates millions of people around the world. It compromises the future of all because it compromises life.

Thus, I believe that as Christians we must understand the defence of and commitment to the rights of all human beings and creation as holistic, taking into account the human being as a whole and not just one aspect of the human being. We need to always remember that the foundation of any action for the defence and development of human rights is the protection and defence of life as such, which God has given us and which translates into the implementation of biblical justice through love. In this way and only in this way can we contribute meaningfully to the defence of a holistic understanding of human dignity and human rights.

Only in this way can we reach a true and lasting peace.

# Honour the Covenant! Reimagining the Covenantal Relation in the Implementation of the Universal Declaration of Human Rights in an Honour-Based Society

Binsar Jonathan Pakpahan

## Introduction

This chapter will argue the need to see how the honour-based society views a covenant differently from a more individualistic society. The implementation of the Universal Declaration of Human Rights (UDHR) has hit stumbling blocks, especially in Asian society, which is based on a collective morality. Seeing the important role of religion and the collective element in Asian culture, the re-examination of the theological understanding of covenant will give us insights into implementation. The question is: Can theology offer a new way of looking at the covenant, especially in the context of collective society?

This chapter will describe the collective factor of covenantal stewardship in covenantal theology that offers a new way of looking at how we could view human dignity in a collective context. The covenantal language is also recognized in theology. In fact, the idea of a collective society and the implementation of covenants are deeply rooted in theology. This research would propose a collective approach of looking at the theology of covenant from the perspective of honour and shame as a way of implementing the covenants.

## Human Rights as a Basis for International Covenants

The international community has always seen the 1948 Universal Declaration of Human Rights (UDHR) as a basis for international covenants.<sup>1</sup> Due to the history of how it was declared and the content, some would argue that the UDHR is part of the legacy of Christian political theology or the Christian contribution.<sup>2</sup> In later discussions, Catholic and Protestant theologians differ on the basis of human rights. Protestant scholars would generally use it as a universal ethics but have different opinions on looking at the natural law approach. Meanwhile, Catholic theologians consider as the basis the idea that human beings are created in the image of God and, because of this, humans have dignity and rights.<sup>3</sup> Allen has found similarities between Catholic and Protestant theologians in the *imago Dei* as the foundation of human rights and an inclusive approach of what human rights are.<sup>4</sup> Muslim scholars have expressed their suspicion about the alleged Western influence on the UDHR. Some protests also pointed out that only 48 nations agreed on the document, while the implications are said to be universal. After a lengthy process, the UDHR was followed by several binding treaties, and the implementation is measured by the international community.<sup>5</sup> The document also received wider acceptance after the 1968 Tehran Proclamation, which accepted the document.<sup>6</sup> The World Council of Churches followed the 1968 UN Resolution in Tehran and contributed to the 1974 consultation on Human Rights and Christian Responsibility that was presented and discussed at the 1975 assembly in Nairobi.

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1. David Robertson, *A Dictionary of Human Rights*, 2nd ed. (London: Europa Publications, 2005), 126. Conor Gearty, "Human Rights: The Necessary Quest for Foundations," in *The Meanings of Rights: The Philosophy and Social Theory of Human Rights*, ed. Costas Douzinas and Conor Gearty (Cambridge: Cambridge University Press, 2014), 36; Daniel Moeckli and Helen Keller, eds., *The Human Rights Covenants at 50* (Oxford: Oxford University Press, 2018).

2. Glenn A. Moots, *Politics Reformed: The Anglo-American Legacy of Covenant Theology* (Columbia: University of Missouri Press, 2010), 117. Frederick M. Shepherd, "The Political and Theological Evolution of Christianity and Human Rights," in *Christianity and Human Rights*, ed. Frederick M. Shepherd (Lanham: Lexington Books, 2009), ix–xxiii.

3. See further discussions on Joseph L. Allen, "Catholic and Protestant Theories of Human Rights," *Religious Studies Review* 14:4 (1988), 347–53.

4. Allen, "Catholic and Protestant Theories."

5. Maya Hertig Randall, "The History of the Covenants Looking Back Half a Century and Beyond," in *The Human Rights Covenants at 50*, ed. Daniel Moeckli and Helen Keller (Oxford: Oxford University Press, 2018), 7.

6. Teheran International Conference on Human Rights 1968; Universal Islamic Declaration of Human Rights 1981; Cairo Declaration on Human Rights in Islam 1990.

The UDHR itself is not legally binding, but it inspired several international, regional, and domestic treaties. Two binding covenants based on the UDHR are the International Covenant on Civil and Political Rights (ICCPR), which elaborates articles 3 to 22 of the UDHR, and the International Covenant on Economic Social and Cultural Rights (ICESCR), which elaborates articles 22 to 28 of the UDHR. Both covenants were adopted by the UN in 1966 and enforced in 1976, with some notes from different states. The ICCPR regulates the rights that states cannot take from their citizens, while the ICESCR regulates the rights that the state should provide for their citizens. While separate, the two covenants complement each other. A covenant is understood as synonymous with a treaty and a convention, and the signatories are bound to international law.<sup>7</sup>

This is why the UDHR is still a declaration and is not legally binding, while the treaties following the declarations are considered binding. On the 50th anniversary of the covenants, one of the main challenges for human rights is the monitoring of the covenants.<sup>8</sup> How and who should monitor the implementation?

There are 167 state parties in the ICCPR, and 67 states signed and ratified the covenants. Article 2 of the ICCPR obliged each state that bound itself to the covenant to respect all individuals, regardless of their status (Art. 2.1), and to take the necessary steps according to their own law, adopt the covenant into their laws, and guarantee the implementation of the law.

The Indonesian government ratified the covenants into Law No. 39 Year 1999 on Human Rights and Law No. 36 Year 2000 on Human Rights Court. The two laws are the result of the 1998 Reformation struggle in Indonesia against President Soeharto, who ruled for 32 years with some questions about human rights violations. Both covenants are ratified into Law No. 11 Year 2005 on the Ratification of the ICESCR and Law No. 12 Year 2005 on the Ratification of the ICCPR. However, only a few of the major human rights cases in Indonesia were solved,<sup>9</sup> for reasons such as different interpretations of the Law,<sup>10</sup> lack of coordination in the implementation between the central

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7. Government of Canada, "Glossary of Terms—Human Rights," <https://www.canada.ca/en/canadian-heritage/services/human-rights-glossary.html>.

8. Moeckli and Keller, *Human Rights Covenants*, 1.

9. Endri Endri, "Implementasi Pengaturan Perlindungan Hak Asasi Manusia Di Indonesia," *Jurnal Selat* 2: 1 (2014), 182–87, <https://ojs.umrah.ac.id/index.php/selat/article/view/122>.

10. Fauzan Khairazi, "Implementasi Demokrasi Dan Hak Asasi Manusia Di Indonesia," *Inovatif: Jurnal Ilmu Hukum* 8:1 (2015), 72–94.

government and regional governments,<sup>11</sup> or lack of law enforcement.<sup>12</sup> Major human rights cases, such as the Timor Leste, Abepura Papua, or Tanjung Priok cases, that were internationally recognized did not get a satisfactory result. Despite the establishment of the Indonesian National Commission on Human Rights and the presence of non-profit organizations that watch over the implementation, such as Amnesty International, ultimately, the willingness and seriousness of law enforcement becomes the major challenge. At the end of 2021, the National Commission on Human Rights reported that only 3 of 15 major cases are being processed in court. They also reported that violations due to agrarian conflicts, intolerance, and freedom of speech, expression, and assembly are the major reported violations in 2021.<sup>13</sup>

Indonesia is not alone in the lack of implementation of the covenants at a domestic level. In his report on the influence of the ICCPR in Asia, Tyagi writes:

While some of the Asian States played a decisive role in the finalization and adoption of the ICCPR, these States have not played an equally effective role in determining the interpretation of the Covenant. Except for a few experts, not many members of the HRC from Asia have distinguished themselves as active members of the Committee. Similarly, not a single Asian State (except Pakistan) made a statement during the negotiation of the April 2014 Resolution of the UNGA regarding the reform of human rights treaty implementation procedures.<sup>14</sup>

One of the challenges that Tyagi mentions, which is also one of the difficulties in accepting the UDHR in the beginning, is the lack of acknowledgement of the collective moral dimension. Culture and religion play an important

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11. Dwi Resti Bangun, "Pembangunan Hukum Nasional: Implementasi Pemenuhan Dan Perlindungan Hak Asasi Manusia," *Jurnal Cahaya Keadilan* 3:2 (2015), 42, <https://ejournal.upbatam.ac.id/index.php/cahayakeadilan/article/view/963>.

12. "Penegakan HAM Di Indonesia Belum Mengalami Kemajuan—Komnas HAM," 13 July 2020, <https://www.komnasham.go.id/index.php/news/2020/7/13/1480/penegakan-ham-di-indonesia-belum-mengalami-kemajuan.html>.

13. "Catatan Akhir Tahun: Menyoroti Penyelesaian Pelanggaran HAM Yang Berat Dan Kasus Papua—Komnas HAM," 28 December 2021, <https://www.komnasham.go.id/index.php/news/2021/12/28/2049/catatan-akhir-tahun-menyoroti-penyelesaian-pelanggaranham-yang-berat-dan-kasus-papua.html>.

14. Yogesh Tyagi, "Influence of the ICCPR in Asia," in *The Human Rights Covenants at 50*, ed. Daniel Moeckli and Helen Keller (Oxford: Oxford University Press, 2018), 210.

role in the formation of the collective society and of the collective moral formation in most of Asian society.<sup>15</sup>

## Asian Society and the Collective Moralities

In a collective society, such as in Asia, moral responsibility is a collective matter. Isaacs argues that there are two levels of moral responsibility: individual and collective. Collective moral responsibility places the collective as the safeguard of morality; the collective, not only individuals, is also responsible for any breach of the violations.<sup>16</sup> He defines collective moral responsibility as “the blameworthiness and praiseworthiness of collectives for their actions. No differently from human moral agents, collectives warrant praise when they do the right thing, blame when they do the wrong thing.”<sup>17</sup> Following the theory of Karl Jaspers, Isaacs argues that the collective moral responsibility understands collective guilt even as individuals within the society do not have guilt feelings.<sup>18</sup>

Building on that argument, I would say that in a collective society, guilt should not be separated from shame. Honour and shame are considered human emotions.

Recent studies have shown that shame and guilt are used differently in different types of society: that is, between the interconnected community and the individualistic society. Most research about the topic has been done in the United States, and as a result, the mainstream models of the relationship between shame and guilt are mostly individualistic. The primary model considers that shame is when a person is evaluated by others, while guilt comes from the self, and is usually followed by retribution. This means that

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15. Tyagi, “Influence of the ICCPR in Asia,” 185; Adnan Buyung Nasution and A. Patra M. Zen, eds., *Instrumen Internasional Pokok Hak Asasi Manusia* (Jakarta: Yayasan Obor Indonesia, 2006), 20; Samantha Besson, “The Influence of the Two Covenants on States Parties Across Regions: Lessons for the Role of Comparative Law and of Regions in International Human Rights Law,” in *The Human Rights Covenants at 50*, ed. Daniel Moeckli and Helen Keller (Oxford: Oxford University Press, 2018), 258.

16. Tracy Isaacs, *Moral Responsibility in Collective Contexts* (Oxford: Oxford University Press, 2011), 8, <https://doi.org/10.1093/acprof:oso/9780199782963.001.0001>.

17. Isaacs, *Moral Responsibility*, 53; Compare with David T. Risser, definition as “collective moral responsibility refers to arrangements appropriate for addressing widespread harm and wrongdoing associated with the actions of groups.” In “Moral Responsibility, Collective,” *Internet Encyclopedia of Philosophy*, <https://iep.utm.edu/collective-moral-responsibility/>.

18. Isaacs, *Moral Responsibility*, 72.

a moral decision that came from shame is a result of societal pressure, while guilt comes from the self.

In a more collective culture, one sometimes finds that the two emotions are closely connected. This gives us another type of relational insight. In a society where people are more connected to each other, such as in Japan and South Korea, shame is used to point out mistakes rather than guilt.<sup>19</sup> Meanwhile, in individualistic societies such as European and North American, guilt is more effective as a moral regulatory. The reason for this difference is that other people's approval is needed in a shame-based society, while in a guilt-based society the values have already synced internally.<sup>20</sup>

Shame is used more often in a collective society than in an individualistic culture, where guilt is more often instilled in the character education of the children. For instance, if a child makes a mistake, the parents in a shame culture will be more likely to employ shaming techniques than guilt. Another example of moral values based on shame is that when people do make a mistake, they will most likely think about the honour of the family rather than being afraid of being guilty. Shame produces moral measurement for actions.

To be sure, both guilt and shame are present in a culture or person, and sometimes they cross each other's path. In an interconnected society, we cannot always separate guilt from shame. Research on the Chinese vocabulary of shame and guilt has shown that some Chinese terms that mean shame are shown with a "guilt" symbol in writing.<sup>21</sup> Meanwhile, in Western society, shame is considered more negative than guilt because it attacks the personality and not the action. Moral value should come from the self and, according to the standard model, guilt brings the individual moral value.<sup>22</sup> Shame is important in forming moral decisions based on the self, while guilt is important in distinguishing right from wrong based on an agreed-upon set of rules.

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19. Ying Wong and Jeanne Tsai, "Cultural Models of Shame and Guilt," in *The Self-Conscious Emotions: Theory and Research*, ed. J. L. Tracy, R. W. Robins, and J. P. Tangney (New York: Guilford Press, 2007), 209–23, at 212–14.

20. Young Gweon You, "Shame and Guilt Mechanisms in East Asian Culture," *The Journal of Pastoral Care* 51:1 (Spring 1997), 57–58.

21. Wong and Tsai, "Cultural Models," 212–14. This shows that to the Chinese culture, guilt and shame are considered as coming from the same root.

22. Ilona de Hooge, "Moral Emotions in Decision Making: Towards a Better Understanding of Shame and Guilt," PhD diss., Wageningen University, 2008, 72, <https://core.ac.uk/download/pdf/44481884.pdf>.

In their research on communal guilt, for example, Nyla R. Branscombe and Bertjan Doosje, editors of an international research group on emotion and social interaction, say, “Reminders of group history can have important consequences for present-day emotional experiences.”<sup>23</sup> Communal guilt can arise when one group realizes that what they are doing has hurt another group. A person can feel guilty for what their group did to another group in the past even when he or she did not personally do it and was not involved in the act. For example, Germans still feel guilty for what they did to Jews in the concentration camps in the Second World War. As a result, Germany is still paying reparations to the State of Israel. Communal guilt can also be associated with motivation to repair damaged relationships as compensation for past mistakes.

Brian Lickel, Toni Schmader, and Marchelle Barquissau said that people feel guilty only if they perceive that their group has caused actions that are to be blamed, thus requiring an assessment of the causes of an event.<sup>24</sup> However, feelings of guilt do not automatically arise if the actions taken can be justified because of certain situations. For example, the bombing of Hiroshima and Nagasaki by the United States army did not necessarily make the American people at the time feel guilty toward Japan because they felt justified by the situation at that time. However, the Japanese felt guilty toward other nations for trafficking women as sex slaves during the war.

A person’s assessment of the importance of his own group makes him more active in feeling communal feelings. The individual’s position in the community also affects their assessment of their own actions.<sup>25</sup> If someone perceives that the group is indeed at fault, this feeling prompts them to make reparations. According to empirical research conducted by Lickel et al., communal feelings of guilt uniquely encourage a group to make reparations for the group they have injured. The group that made the bigger mistake would compensate. Another example is that the group will punish the guilty offender for showing their request to the injured group.

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23. Nyla R. Branscombe and Bertjan Doosje, eds., *Collective Guilt: International Perspectives* (New York: Cambridge University Press, 2004), 3.

24. Brian Lickel, Toni Schmader, and Marchelle Barquissau, “The Evocation of Moral Emotions in Intergroup Contexts: The Distinction between Collective Guilt and Collective Shame,” in *Collective Guilt: International Perspectives*, ed. Nyla R. Branscombe and Bertjan Doosje (Cambridge: Cambridge University Press, 2004), 38.

25. Lickel, Schmader, and Barquissau, “The Evocation of Moral Emotions,” 41.



Meanwhile, feelings of communal shame lead a group to distance itself from the most responsible perpetrators. The group is trying to show that the perpetrator “isn’t us.” Thus, they want to show that what they are doing is not the true nature of the group. The most extreme act of communal shame is removing the person from the group with a sentence of exile or the death penalty. Therefore, Lickel, Schmader, and Barquissau state that generating communal guilt produces more positive reactions than communal shame.

Their research reflects the culture of Asian communities that connects the concepts of shame and respect. In fact, in defending communal or personal honour, a person may commit an act that is punishable by law but feel that they have done a good deed that brought honour. For example, a person can kill another person to defend the honour of their group or family (honour killing). On the other hand, there are also those who are considered to have brought shame to the family even though they did the right thing, such as someone who refuses to bribe a judge to defend a detained family member.

## Honour and Shame in Covenantal Stewardship

Christianity is familiar with the concept of covenant and covenantal stewardship. Honour and shame are used in the concept of covenantal stewardship. However, we do have different ideas of covenant and what it entails.<sup>26</sup> The words used for covenant are בְּרִית (Hebrew: *berith*) in the Old Testament; the translation in the Septuagint (LXX) is διαθήκη (Greek: *diatheke*).<sup>27</sup> *Berith* is comparable with the word “binding” (see Ezek. 20:37), as in an oath between two parties, and usually followed by a sacrificial act in a ritual.<sup>28</sup> Scholars such as Gerhard von Rad and Irvin A. Busenitz have argued

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26. For further examination of the word “covenant,” see E. W. Nicholson, *God and His People: Covenant and Theology in the Old Testament* (Oxford: Clarendon, 1986), and Lothar Perlitt, “Covenant,” *Encyclopedia of Christianity* (Grand Rapids: Eerdmans, 1998), 709–11. Webster’s Dictionary states that covenant is “a binding and solemn agreement made by two or more individuals or parties to do or keep from doing a specified thing; a compact.” The Latin word for “covenant” is *covenire* (to convene, meet together, to assemble for a common purpose).

27. There was a strong debate on whether *diatheke* should be properly translated as “covenant” or “testament,” as in the New Testament, for a number of reasons, i.e., *berith* or “covenant” is an agreement that is unchangeable, while “testament” could be changed until the moment when the person involved dies. See Roger T. Beckwith, “The Unity and Diversity of God’s Covenants,” *Tyndale Bulletin* 38 (1987), 93–118, as he was discussing the approach of Geerhardus Vos, *Biblical Theology* (Grand Rapids: Eerdmans, 1948).

28. See Norma H. Thompson, “The Covenant Concept in Judaism and Christianity,” *Anglican Theological Review* LXIV/4 (1982), 502–24.

that we will not be able to understand covenant completely from etymological discourse. Instead, we have to understand the covenant from its usage.<sup>29</sup>

In the Old Testament, the first covenant is an agreement between two mutual parties that has a legally binding obligation (such as Jacob and Laban in Gen. 31:53; David and Jonathan in 1 Sam. 18:3-4; Israel and the Canaanites in Ex. 23:32; 34:12, 15; a married couple in Prov. 2:17; nations in trade (1 Kings 20:34). The second use is an agreement between a superior and an inferior that also has binding consequences and is non-negotiable. In the second type, a covenant is usually a promise from the inferior to obey the superior or by the superior to protect the inferior. In the New Testament world, the Hellenist understands *diatheke* as “the last will and testament”<sup>30</sup> which challenges the notion of validity. It seems that the use in the Old Testament represents our use of the covenant, which is a binding agreement between two parties with consequences.

The idea of covenant was an important factor in the forming of social organization or even society in a West Asian context, where Israel first gathered as a particular group.<sup>31</sup> We can also say that covenant is the binding identity of society at the time. Another important factor in the making of the covenant is the role of honour and shame. The notion of covenant is very closely related to the concept of honour and shame.

Olyan thinks that honour and shame play a significant role in the ancient Israel worldview. The inferior will honour the superior and show a kind of hierarchy and social status.<sup>32</sup> Honour can be achieved through good works and success, while it will be lost through defeat and failure, resulting in shame.

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29. Gerhard von Rad, *Old Testament Theology I* (New York: Harper, 1962), 132; Irvin A. Busenitz, “Introduction to the Biblical Covenants: The Noachic Covenant and the Priestly Covenant,” *The Master’s Seminary Journal* 10:2 (1999), 173–89.

30. See Walter Bauer, William F Arndt, and F. Wilbur Gingrich, *A Greek-English Lexicon of the New Testament* (Chicago: University of Chicago Press, 1968), 182.

31. See Saul M. Olyan, “Honour, Shame, and Covenant Relations in Ancient Israel and Its Environment,” *Journal of Biblical Literature* 115:2 (1996), 201–18.

32. Olyan describes the hierarchy of honour as follows: “Honour, generally speaking, is owed by an inferior to a superior: by the young to the elderly (Lev 19:32; Isa 3:5; Lam 5:12); by the worshiper to his or her deity (ARM 2.77.14; KTU 1.17 V 20, 30; Exod 20:12//Deut 5:16; Hag 1:8; Mai 1:6); by a child to a parent (Exod 20:12// Deut 5:16; Ezek 22:7 [cf. Prov 19:26]); by the living to the dead (Isa 14:18); by a dishonoured or diminished person to an honoured person (Isa 3:5). Minor deities honour Yhwh (Ps 29:1-2), just as a hierarchy of honour is evident among the gods of other West Asian pantheons (KTU 1.3 III 10; VI 19-20; 1.4 IV 26; VIII 28-29; Enuma elish 4.3).” Olyan, “Honour, Shame,” 204.

In such a context, recognition and acknowledgement of honour and shame are very public. Rituals and public happenings are ways of showing, gaining, or losing the public recognition of one's honour and shame.

There are two types of covenantal relation. The first is the covenant made by equals where reciprocal honour binds the parties involved. One will be bound to return the honour that she receives from the other party or to return humiliation when she was humiliated. God is also involved in reciprocal honour with God's people in 1 Samuel 2:30: "But now the Lord declares: 'Far be it from me! Those who honour me I will honour, but those who despise me shall be treated with contempt.'" However, Olyan also thinks that even in reciprocal honour, the Israel and West Asian context had hierarchical dimensions in the setting of covenant relations. Olyan shows that in 1 Samuel 2:29, God accuses Eli of honouring his sons more than he honoured God. Israel believed that God should be the highest rank in the hierarchy of honour. In the text, we will receive honour from God only by placing God in the highest order of honour.

The second type of relation is where one party is superior to the other. This covenantal model shows that the superior will protect the inferior and the inferior will offer loyalty and obedience. The honour for the superior is in their ability to protect the inferior. When the protector fails, shame will be applied to them, while for the inferior party, they are bound to offer loyalty and obedience. They will gain honour by being loyal and lose it for being unfaithful to the covenant.

Honour and shame are emotions and are relational and communal. The concept has received very little attention from Western theologians, probably because of its communal factor, compared to their more individualistic culture. Surprisingly, as Olyan puts it, scholars have paid little attention to the role of honour and shame in covenantal agreement. Olyan correctly states,

Just as covenant love and covenant loyalty were reciprocal, even between suzerain and vassal, so was honour in a covenant setting. To love one's treaty partner was to conform to covenant stipulations, as W. L. Moran and others have shown; to honour an ally, suzerain, or vassal was to demonstrate in the public sphere—often in a ritual setting—conformity to covenant. To honour was the public means of demonstrating covenant love, and rites were frequently the setting in which such demonstrations occurred.<sup>33</sup>

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33. Olyan, "Honour, Shame," 217.

Departing from the Old Testament worldview, Bruce Malina investigates what honour means for the New Testament context. He thinks that honour is the public recognition of the value of a person to the community.<sup>34</sup> Honour is a positive value as a result of a social construct and only works in relation-based society. Honour can be achieved through several actions that will be done in a ritual or publicly acknowledged, such as faithfulness to the covenant or the group, purity, and cleanliness. Preserving the community's covenant is important to make a person valuable and honourable to the group. On the other hand, the failure to do so will result in shame.

## The Noahic Covenant

Covenant is a relational bond between God and the people. One of the covenants that we will use as a foundation of human rights is the Noahic covenant. The Noahic covenant is the place where God made a reminder for God-self to protect God's creation. Allen notices the importance of Noahic covenant to the idea of human dignity.<sup>35</sup> The idea of the covenant is the bond between God, the people, and other beings.<sup>36</sup>

The Noahic Covenant is unique because of its universality. Thompson sees that God made this covenant unconditional (Gen. 9:11), and it is for every living creature (Gen. 9:10). She later states, "It is the universality of the Noachian covenant which allows Jews to perceive of the Gentile in a covenantal relationship with God, even though they are not within the special covenant God made with Israel."<sup>37</sup>

The Noahic covenant takes place in two recorded events in the Bible; the first is Genesis 6:18-19. God regretted the wickedness of human (Gen. 6:5-6) and wanted to "blot out from the earth the human beings I have created—people together with animals and creeping things and birds of the air, for I am sorry that I have made them" (Gen. 6:7). Since Noah and his family are in God's favour, they were asked to build an ark with precise measurements. God tells Noah what is going to happen and then declares God's covenant:

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34. Bruce Malina and Jerome Neyrey, "Honour and Shame in Luke-Acts: Pivotal Values of the Mediterranean World," in *The Social World of Luke-Acts Models for Interpretation*, ed. Jerome Neyrey (Peabody: Hendrickson, 1991), 26.

35. Allen, "Catholic and Protestant Theories of Human Rights," 384; see also John D. Carlson, "Rights versus Right Order: Two Theological Traditions of Justice and Their Implications for Christian Ethics and Pluralistic Politics," *Journal of the Society of Christian Ethics* 36:2 (2016), 86–87, <https://doi.org/10.1353/scs.2016.0032>.

36. Beckwith, "Unity and Diversity," 107.

37. Thompson, "Covenant Concept," 507.

“But I will establish my covenant with you; and you shall come into the ark, you, your sons, your wife, and your sons’ wives with you” (6:18). Not only that, but God also asks Noah to bring two of every kind into the ark, of every living thing. Noah’s main task is “to keep them alive with you” (6:19). God set the covenant, initiated by God, and Noah is given a task to do.

And the flood came. Noah and the others who are chosen by God, and by Noah, are in the ark. The ark is not a kind of household; every creature is there for their survival. Noah’s part in the covenant is in the preparation and the protection of the species that were entrusted to his care. The situation in the ark reminds us of the situation back in the garden when animals were living side by side. Noah becomes a steward who was asked to take care of other creatures.<sup>38</sup>

God expanded the covenant after the flood. What was a covenant between only God and Noah turned out to be the most extensive of the covenants. In Genesis 9:12-13, God says, “As for me, I am establishing my covenant with you and your descendants after you, and with every living creature that is with you, the birds, the domestic animals, and every animal of the earth with you, as many as came out of the ark.”

God modified the covenant and promised that God would never again destroy the earth; God then made a rainbow as a sign of the covenant. The modification did not cancel the earlier task. God added new responsibility from God’s side and still expect humans to fulfil their part of the covenant, which was to take care of other creations. God gave a sign of the covenant, which is a rainbow, a sign that was taken from nature. Busenitz notes that while other covenants’ story demands human action as a sign of the binding agreement (that is, circumcision and the Sabbath), the rainbow is a sign to remind God.<sup>39</sup> And since Noah’s family are the only humans left, the extended covenant now covers every living creature on earth. The earth that received God’s wrath is also part of the extended covenant. The covenant also lasts forever.

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38. See the discussion about what Noah was thinking in Varda Fish, “Noah and the Great Flood: The Metamorphosis of the Biblical Tale,” *Judaica Librarianship* 5:1 (Spring 1989–Winter 1990), 74–78, when she lists the questions children ask about what happened in the Noah story. However, we have more questions. What about the ones who are not in the household? Why are the others excluded? Did Noah try to save the people outside of the ark? Did he feel compassion toward others? These are the questions that need to be explored further.

39. Irvin A. Busenitz, “Introduction to the Biblical Covenants: The Noahic Covenant and the Priestly Covenant,” *The Master’s Seminary Journal* 10:2 (1999), 185.

The Noahic Covenant is the first and the most extensive covenant. It also becomes the foundation of the following covenants. Busenitz says,

Furthermore, the impact of the Noahic Covenant on other covenants should not be overlooked. The certainty of other covenants is, at times, anchored in the order of nature promised in this first covenant. In Jeremiah 33:20-21, God employs the unfailing regularity of the natural order as a guarantee of the covenant with David (2 Samuel 7) and the covenant with Levi (Numbers 17; 25:10-13). Even God's covenant of unfailing kindness and peace toward Israel is hereby assured (Isa. 54:9-10).<sup>40</sup>

We have to consider the importance of the Noahic Covenant for a couple of reasons. First, it is extensive and covers all creatures. While other covenants speak about a particular group of people, or person, or task, the Noahic Covenant is global. God made a timeless covenant to every living thing that comes out of the ark and on earth. Second, humans' task to take care of the creation was never cancelled. Third, it is the basis for other covenants since the absence of a great extinction is the foundation of other covenants.

## Honouring the Covenant

The Covenant is implemented in a collective society where honour is considered the highest norm in keeping the covenant. As God's people, Israel views shame as the result of God's rejection and punishment. Jerusalem was often warned by the prophets on their failure to be loyal to God; this resulted in public humiliation,<sup>41</sup> which in turn is God's punishment (see Jer. 23:40; Ezek. 16:36-54; Hos. 2:10; Nah. 3:5).<sup>42</sup> God's rejection is the ultimate shame, inasmuch as even other nations that failed to protect them will also be shamed. Isaiah 30:3-5 describes shame and disgrace as coming "through a people that cannot profit them, that brings neither help nor profit" (Is. 30:5).

40. Busenitz, "Introduction," 186.

41. Public humiliation, in Malina's theory, belongs to female shame since most of the ancient Mediterranean cities were considered female. Jerusalem was shamed because of her fidelity.

42. See Malina and Neyrey, "Honour and Shame," 98-99. See also the discussion of Malina's theory of male and female honour and shame in Zeba Crook, "Honour, Shame, and Social Status Revisited," *Journal of Biblical Literature* 128:3 (2009), 591-611, <https://scholarlypublishingcollective.org/sblpress/jbl/article-abstract/128/3/591/179825/Honor-Shame-and-Social-Status-Revisited?redirectedFrom=fulltext>. Crook concludes that Malina was describing the rule of social status in ancient society but does not necessarily correctly portray what happened in reality. For Crook, in reality, both female and male can contest and acquire honour and shame in ancient societies through their public court of reputation.

Israel will receive its honour back once God returns to them (see Is. 61:7).

Jesus introduces new values about honour and shame to the disciples. First, he teaches that loyalty to him is an honourable virtue (Mark 8:38). Second, in a discussion of who is the greatest of all, Jesus says that “the least among all of you will be the greatest” (Luke 9:48; see also Luke 22:26; Matt. 23:11-12). It seems that honour is now achieved through exemplary servanthood. We can see that Jesus’ new idea of honour is later implemented during the passion. Since the Jews understood that honour can be shown by God’s blessings and accompaniment, Jesus’ public humiliation and death is the clearest example that God is not with him, which made him shameful. However, the resurrection shows God’s approval of Jesus’ values of honour and shame. What the people saw as humiliation and a sign of God’s abandonment became seen as the approval of Jesus’ honour precisely through his humiliation.<sup>43</sup>

The first Christian communities are more connected with the idea of honour, which is something they have to gain from the new family of Christian community itself and not from the larger society that has cast them out.<sup>44</sup> The Christian communities did not consider the larger society’s valuation as important to their concept of honour. For them, the virtues of Jesus are considered higher than the norms of the society at large. In the later development, Stephen Pattison notes that the Western Christian tradition has focused more on guilt and sin.<sup>45</sup> In the later society, the covenant is now kept with certain laws and regulations.

## Closing Remarks

The implementation of regulations that are seen as foreign to the communal-based societies in Asia could be well the reason that Asians still consider defending their honour based on cultural understanding as being more important than the Universal Declaration of Human Rights. We also noted gross human rights violations to defend one’s honour in some honour killings. When honour is at stake for a collective society, the UDHR will be difficult to implement.

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43. See Malina and Neyrey, “Honour and Shame,” 102–103.

44. Wayne A. Meeks, *The Origins of Christian Morality: The First Two Centuries* (New Haven: Yale University Press, 1993), 39–42; David F. Watson, *Honour Among Christians: The Cultural Key to the Messianic Secret* (Minneapolis: Fortress, 2010), 147–49.

45. Stephen Pattison, *Shame: Theory, Therapy, Theology* (Cambridge, UK: Cambridge University Press, 2000), 44–45, <https://www.cambridge.org/core/books/shame/90F8C3189EEDE3A75A4AC4D138C78D67>.

After exploring the notion of covenant in theology, in particular the Noahic covenant, and how covenants were formed and kept, we could see that the idea is collective, relational, and even connected with God as the initiator of the covenant. The idea of God is indeed missing in the UDHR and in both of the ICCPR and ICESCR covenants. However, for most Asian nations, where culture and religion are very influential in public life, bringing back the idea of God as the initiator of the covenant could be beneficial. That is why common ground and collaborations are needed to strengthen the idea of the covenant of the UDHR from Asian society's perspectives of honour. How could we raise the idea that it is honourable to implement the UDHR from the understanding of Asian societies instead of bringing it to them with the threat of legal consequences? Further research in the field of honour and shame is needed to understand more about covenantal stewardship.

Covenantal theology gives insight into the implementation of human rights covenants. Instead of only using the language of tribunal, court, or law, theology offers a new concept of a spiritual view of the covenant from a perspective of honour. Honouring the covenant means respecting human dignity because we are in a binding covenant—not only to other humans but to God. Meanwhile, violating the covenant will bring shame and lead to alienation from God's grace and from the community.





## The Role of the World Council of Churches' Commission of the Churches on International Affairs in Speaking Up on Human Rights Violations

Cornelia Füllkrug-Weitzel

How should and could the World Council of Churches' (WCC) Churches Commission of the Churches on International Affairs interact and cooperate with the churches to promote and protect human rights? This chapter offers some comments on this debate and further food for thought.

### **Two Ways of Communication and Interaction with Member Churches on Human Rights Issues**

From its beginning in 1946, CCIA described its mandate as a two-way communication and interaction with the member churches.

On the one hand, it should give input and support the churches in their commitment to human rights by

- increasing the theological/ethical and political understanding of human rights and of the role and methods of churches in promoting and defending human rights,
- providing information and education to the churches, supporting them in disseminating information and education to their members on human rights to help mobilize the churches,
- challenging member churches in cases of gross human rights violations of their government (domestically and extraterritorially) to defend the human rights of people or groups whose rights are denied, who are persecuted or even killed,
- facilitating member churches' political advocacy toward their respective government and help to coordinate churches' regional and global networking and advocacy on concrete human rights issues, and

- facilitating churches to network with other religious bodies and civil society human rights NGOs.
- On the other hand, it should receive input and lift up the human rights concerns of churches by
- building its own understanding, positioning, and global advocacy work on the basis of the information, analysis, and concerns of member churches;
- voicing them together with or on behalf of the members toward international organizations and lifting up their campaigns onto a global level;
- backing the churches and trying to protect them in their national human rights struggles via sending international fact-finding missions, ecumenical delegations observers/monitoring teams, and other forms of visible accompaniment; and
- in conflict situations, to be the public voice of member churches who became silenced by their government as human rights defenders.

### **How to Act in Difficult Situations if Member Churches Are Not Able or Willing to Speak Up on Human Rights Issues**

This division of labour is based on a joint assumption that the promotion and protection of human rights is part of the mandate of churches, on a common perception of potential or recent human rights threats, and on their willingness to cooperate.

But what happens if a member church in a country with systematic or gross human rights violations and/or a totalitarian regime systematically denying people the right to life ignores or denies the fact of human rights violations by its government and will not defend its victims because of one or more of these reasons?

- They don't share (anymore) the human rights concept.
- They fear a loss of privileges, repressions, and restrictions with regard to their own institution.
- They are already (for ethical or political reasons) under strong influence of the regime or depending on the "grace" of their government.

- They are urging the CCIA/WCC not to speak up on behalf of the victims and not to raise concerns about or denounce the human rights violations in their country.

In such situations, the key question is: Should CCIA/WCC always follow the expressed will of the respective member church(es) to remain silent and passive when it comes to gross human rights violations—mainly not avoid endangering the member church? Or are there other, more creative ways to deal with the situation?

On the other side, do churches have other options than silencing the whole ecumenical family and boycotting the WCC's decision-making and preventing it from speaking up in favour of groups of people who are persecuted, victimized, or even killed and from denouncing the perpetrators at the UN system and in the international public? If so, what are these other options? Are there ways of ecumenical cooperation or of actions for the WCC in solidarity with the victims (other than only practical or humanitarian support) in situations where the affected member churches are not ready and not yet in a position to oppose systematic or gross human rights violations of their government?

### **Some Experiences with Different Ways of Ecumenical Cooperation in Defending Human Rights in Difficult Times**

- Some member churches feel encouraged by the backing, solidarity, and accompaniment of the ecumenical family to finally take the risk of public advocacy interventions on behalf of those who are discriminated against, oppressed, and persecuted and risk their own vulnerability and victimization for the sake of the truth and the life of victimized groups of people.
- Other churches decide to keep quiet—knowing and accepting that the ecumenical family is stepping up in their place. Others try to support the respective advocacy work of the ecumenical family in silent or hidden ways (such as by facilitating ecumenical fact-finding tours, collecting and transmitting information themselves, or financing advocacy work). For years, ACT Europe had a case where for certain reasons, a member could not speak up publicly on a certain issue with the same clarity and vigour.
- Not all members of the ecumenical family need to do the same thing or speak up in the same way or at all. But still, the ecume-

nical family can act in a united manner—in different but complementary ways. If a church feels it is not in a position to oppose the human rights violations of its own government, the way of letting it happen—such as not obstructing and subverting joint decisions of the ecumenical family, abstaining or even leaving the room at the right moment, and not challenging the consensus—can be a minimum of effective ecumenical cooperation when it comes to human rights violations even in these difficult circumstances. Unlike the UN Security Council, no member church in the ecumenical governing structures has a veto. Whether the consensus principle of the WCC, which was invented only recently in the ecumenical movement, remains helpful depends on the wisdom of members under domestic political pressure to not use it in specific situations to facilitate a common voice against gross human rights violations.

- Another option for a member church would be to suspend its own membership in the WCC or ACT Alliance from its side for a certain period if this interim suspension serves to protect the church from severe repression back home. It can yet keep in a non-official, silent, but frequent and faithful contact with the ecumenical movement and stay in dialogue.

### **Historical Lessons from German Church History: A Brief Glance at the Ecumenical Movement and the Human Rights Violations of the Nazi Regime in Germany, 1933 to 1945**

Each situation is different, but we can take always particular lessons from each context which could be useful for other contexts. Let me therefore briefly look into the history of my own church and share the very difficult experience of the ecumenical movement with the German churches in times of fascism in Germany and their difficult struggle about the right witness in times of gross human rights violations. Others could complete and complement this later with examples from their contexts (racism in the US, apartheid in South Africa, nuclear testing in the Pacific by France, disappearances in Central and Latin America) and we could draw lessons from each context.

Soon after the Nazis took over political power in Germany (spring 1933), ecumenical circles—namely from the US and Sweden—showed high concern

about the expressed antisemitism and clear signs of systematic human rights violations by the Nazi regime: on 27 February 1933, the Nazis had set the parliamentary building (Reichstagsgebäude) on fire and blamed communists for this violent attack in order to declare a state of emergency and to release a *Notverordnung* (emergency decree). It restricted all individual and political rights, including freedom of thought, of expression, of the press, of freedom, of assembly, and of association. It set a seal on the absolute intolerance against and lack of civil rights of any individual who was not seen as “Aryan” and who stood in the way of the Nazi regime.

Churches from the US and Sweden asked the German Federation of Churches what stance they would take against the government’s antisemitism. They proposed to send a joint protest note to the German government: “On Christian grounds we protest against all forms of racial and religious intolerance and express our deep sympathy for the victims.” The German churches did not react but rather tried to spread the government’s fake news about the situation of the Jews internationally, and they appealed foreign churches and countries to avoid provoking hostile reactions by the government. Meanwhile, on 7 April 1933, the Nazis released the so-called Aryan paragraph, dismissing all people of Jewish origin from public service. Thousands of Jews started immigrating abroad, spreading the bad news. More and more churches (from Belgium, Netherlands, Switzerland, France, Britain, Scotland, Portugal, Italy and the different streams of the ecumenical movements) protested publicly against the antisemitic legislation and any acts of the government denying the dignity and rights and freedom of Jews and other groups who fell victim to the Nazi terror. Again they approached the German churches to do the same. But only a few German church leaders and famous theologians protested at that time—among others, Dietrich Bonhoeffer.

The ecumenical movement followed the appeal and urgent request of the German churches to refrain from any denunciation of or accusation against the German government’s policy. Only the president of the Administrative Committee of Life and Work, Bishop G.K.A. Bell of Chichester, had the courage to send an ecumenical delegation to Germany (without any public announcement) to monitor the human rights situation and the stance of the churches and to dialogue with them frankly and seriously behind closed doors, in a safe space. Though the human rights violations became obvious and clear to the delegation during this ecumenical visit, the delegation—following the plea of German church partners—refrained from a public

statement or denunciation of the political situation and suggested that the ecumenical movement should instead organize support for the victims.

Neither the World Alliance for Promoting International Friendship through the Churches, nor the Faith and Order movement, nor the general assembly of the World Federation of the Reformed Churches, when meeting in early summer in 1933, took a clear public stance against the gross violations of human rights by the Nazi regime, following the appeals of leaders of the German church, which by then was partly already under the control of the Nazis. The argument always was that the ecumenical family, in this time of strong church–state confrontation and political oppression, should not act against the will of the German churches; otherwise, they would be in even greater danger of losing their autonomy—which in any case happened in August 1933. From then on, the leadership of the German churches, including the Synods of the Church of the Union of Former Prussia, were in Nazi hands: A new Protestant church leadership structure was invented by the Nazis (Reichskirche/Reich Church), with a Nazi-Reichsbishop at its head. With the majority of the “German Christians,” a decision was taken in the Synod of the Church of the Union of Former Prussia to exclude people from Jewish origin from the churches (the “Church Aryan Paragraph”). The new church leadership thus started collaborating with the Nazi government in the persecution of Jews.

The new—Nazi—German Protestant church leadership expressed its will to remain in the different organizations of the ecumenical movement and to appoint and send representatives of the German churches to these organizations.

When the executive committee of Life and Work met in Novi Sad in September 1933, the German delegation questioned and attacked the theological foundations of Life and Work and denied its right to make ethical or political judgments on the situation in Germany. Numerous attempts were made during the meeting to formulate a consensus statement on the human rights situation in Germany with the Germans. Formulations were smoothed and watered down to make them acceptable to the delegation of German churches—an attempt to compromise the statement with a church at that time was already heavily dependent on the totalitarian government and acted as its instrument. Regardless of how toothless the decision ended up being and how favourably it was formulated for the delegation of the German Reichskirche, in the end, the representatives of the German Church abstained from the vote and formulated a strong protest to be minuted.

Nazi interference in church affairs, antisemitic laws, and offences against church constitution and life sparked the so-called German church struggle. Opposition groups formed a confessional community: the Confessing Church. It proclaimed the Barmen Theological Declaration, on which it based its decisions to denounce and reject the false beliefs and practices of the German Christians for fundamental reasons of the essence of the Christian faith. At its second synod in Dahlem in 1934, the Confessing Church stated that the Reich Church had separated itself from the true Church of Jesus Christ and therefore was to be regarded as a false church, a pseudo-church, an instrument of the Antichrist. At the synod, the Confessing Church described its struggle as “drawing the line between life and death, between obedience and disobedience to our very Lord Jesus Christ.” (Thus, the Confessing Church struggle was about the true church versus the false church. As Bonhoeffer stated: “Whoever parts knowingly from the Confessing Church, separates himself from salvation.”) The Confessing Church declared itself to represent the only legitimate German Protestant Church—thus challenging the ecumenical movement to no longer accept the Reich Church as representing the German Protestant churches and to exclude them. Bonhoeffer expressed this expectation of the Confessing Church toward the ecumenical movements since its general assembly in Fanö 1934.

The general assembly in Fanö in general took the side of the Confessing Church, electing the president of its synod to the governing board of Life and Work. It showed sympathy for the claim of sole representation of and supported the Confessing Church by all means and kept in continuous close contact. However, in the following years, Life and Work and Faith and Order (though for different reasons) never ceased the membership of the Nazi Reich Church in the structures of the ecumenical movement. Prior to the World Conference in Oxford in July 1937, the question came up again in Life and Work about who should represent the German churches at the conference: Could this still be the Nazi church? Alone? Or should the Nazi Reich Church be pressured to include the Confessing Church in its delegation? The Life and Work council insisted that the Confessing Church should by all means be represented and send delegates—whose names were circulated—on its own and not only the official, Nazi-authorized Reich Church. The latter proposed that no German delegation should travel to Oxford (an idea which at one time was promoted by the government, but later renounced). Before the debate could be ended, the German government confiscated the passports of five of the potentially seven delegates from the Confessing Church and even arrested some of them (together with many



from the leadership of the Confessing Church) so it could not be represented in Oxford. The delegation had to report in detail and daily about the course of the discussions (and the votes of the individual delegation members) and was in continuous contact with the German embassy in London. It received not only clear instructions from the German government on how to act prior to the conference, but also direct orders via the German embassy about the interventions from the German delegation at the conference. Due to the courageous insistence of Bishop Bell, the conference nonetheless released in its closing session a conference message to the Reichs Kirche about the absence of half of German delegates and declared its sympathy and solidarity with the Confessing Church in Germany.

The WCC-in-formation in 1938 elected members of the Confessing Church—such as Dietrich Bonhoeffer—to its provisional committees and, by doing so, indicated which part of the German Protestantism it saw as the true church. The Nazi government forbade ecumenical contacts abroad, and the provisional WCC could not speak up directly for the Confessing Church. Nevertheless, the provisional general secretary of the WCC in formation, Willem Visser 't Hooft, and Bishop Bell from Chichester tried to act on behalf of the Confessing Church.

## **Other Reasons for the Hesitancy of Churches to Address Human Rights Violations**

Even if there is no joint theological or ethical understanding or even disagreement on the human rights concept—due to different theological traditions and/or cultural backgrounds—there can be a common practice of defending or protecting victims of human rights violations.

### *Non-theological factors of disunity*

Common practice in defending human rights in the ecumenical family of churches depends as well on the discernment of non-theological factors of disunity and the willingness of churches not to allow those to become a decisive and divisive factor in the churches' struggle for a joint prophetic voice in situations of gross and systematic human rights violations.

To take up the challenges of state terrorism and destruction of the German church by the Nazi government and to address the difficulties of the ecumenical movement in positioning itself in this situation, the ecumenical movement of Life and Work, in preparing for the Oxford conference in 1937, started a series of studies entitled "Church, Nation and State." The

relationship between the three was identified as one major non-theological factor for hampering church unity.

The WCC, in preparation for the third World Conference of Faith and Order, dealt with non-theological factors in depth and determined some of them again in a later Bossey Ecumenical Institute Conference in 1951—for example, disunity created in the context of national antagonisms or wars, which prompt churches of the same confession to divide into separate churches. At the same time, it named non-theological factors which also underlined the need for church unity. One was state antagonism and persecution, which should bring Christians together in a newly found spiritual unity and should create the will to unite, though actual conditions may not favour visible unity. Perhaps the WCC has to once again consider studying together the issue of non-theological factors leading to disunity in facing up to recent conflicts and human rights violations.

#### *So-called cultural obstacles*

During the Wuppertal conference, it was also mentioned that WCC member churches unwilling to engage in human rights affairs sometimes referred to cultural obstacles which prevent them from accepting the human rights concepts and conventions as elaborated at the UN level since 1948. One might indeed discuss the compatibility of human rights with many or at least some cultures. For Christian churches, however, culture(s) can never be seen as an ultimate norm. When defending the human rights concept of the WCC against allegations that it is hostile to some cultural backgrounds of member churches, it might be interesting to study again the excellent study materials published prior to and after the findings of the World Mission Conference on Gospel and Culture in Salvador Bahia in 1999. Here it was generally recognized that the inculturation of gospel reading is a consequence and legitimate expression of incarnation, and therefore different ways of interpreting the gospel in different cultural contexts are legitimate and need to be respected. However, this does not mean a general Christian blessing of whatever is presented as culture, cultural tradition, or cultural interpretation of the gospel. A clear line was drawn between cultures which reflect and promote the message of God's love to every human person, of the dignity and right to life of all people, of reconciliation, peace, and justice—which, in short, are life enhancing—on the one side, and cultures or cultural traditions and interpretations on the other side that preach death, deny the dignity and right to life of some people or groups, and promote hate, intolerance, violence, disunity, and so on. The gospel is challenging all cultures and is

judging them. A culture that rejects the idea that God has created all people in his image and loves all human beings—a conviction which stands behind the human rights idea—cannot be used as an excuse by a church to not respect and defend the human rights of all.

### *Human rights of women*

A majority of cultures globally are patriarchal and deny women the same dignity, rights, economic chances, and participation in politics and society as men have. From the gospel point of view, churches should challenge such cultures rather than distorting the gospel by teaching that women do not reflect God's image in the same way, have less dignity and value, and must be subordinate to men. This systemic and theologically justified denial of equal rights for women—being a major root cause for a high level of physical violence against women (from domestic violence to sexual harassment, gender-based violence during conflicts, femicides) and all kinds of violations of their economic, social, cultural, individual, and political rights must be taken seriously as a major root cause, used as an excuse for why churches do not really or fully accept the human rights concept. Human rights protagonists inside and outside the WCC, and the WCC itself on numerous occasions, have underlined the indivisibility of human rights. Yet, they treat the Convention on Women's Rights differently than they treat other human rights conventions, implicitly accepting that women's rights are seen as less important by many churches. As a result, it is often left to women's departments rather than to human rights departments to advocate for women's rights and to defend them. That spoils the whole witness in favour of human rights and the gospel teaching about God's love to all like a worm in an apple. The indivisibility of human rights—even more, the human rights concept as such—cannot be seen as being really accepted and fully embraced in the fellowship of churches if the rights of half of the world's population are seen as less important!

## **How the Ecumenical Movement Can Support Churches in Realizing Human Rights Violations and Their Own Responsibility: The Crucial Role of Ecumenical Solidarity Pilgrim Visits**

Even in situations where there is no political pressure involved, sometimes churches—captive and prejudiced in their own social bubble or due to cultural taboos or political conflicts—just don't realize the suffering of people of marginalized groups whose dignity and human rights are violated (such as people of lower caste, lower class, a different or minority religion, ethnic group, women). They do not have access, or it is forbidden to these churches (in times of violent conflicts), or they just don't reach out and get in contact to victims on the other side, or they are ideologically blind to their suffering due to feelings of superiority (such as racism or a machismo or patriarchal culture).

In such situations, the ecumenical family—either through cross-border partnerships or through multilateral global or regional ecumenical organizations—can help the churches to overcome their self-imposed blindness toward human rights violations by sending ecumenical delegations as living letters or making pastoral or pilgrim team visits. Looking at one's own situation with the eyes of foreigners—walking in the shoes of victims—can be a crucial experience of ecumenical solidarity or pilgrim visits. Such teams could give their own impressions and analysis, looking at the situation from the outside without the same captivity or bias, or encourage local churches to invite or visit victims, to travel to their places and meet with and listen to them. Experiences show that this ecumenical support for the local churches to expose themselves to the situation of victimized groups of people in their own country or even to walk for a while in their shoes can serve as an eye-opener and wake-up call to realize and address human rights violations in their (or committed by their) own people (and government).

A very good example are the Women's Pilgrim Team Visits (PTVs) 2017–2021, “Her-Stories of Transformation, Justice, and Peace.”<sup>1</sup> The two harvesting workshops of all Women's PTVs to several African countries which had undergone (or still were undergoing) violent conflicts—Stories of Hope in the midst of Pain and Suffering of Women in War and Conflict situations:

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1. Her-Stories of Transformation, Justice, and Peace. Report on the Women of Faith Pilgrimages. To be published by the WCC in 2022.

workshops in Nairobi and Burundi in February/March 2020—showed very clearly that the ecumenical Pilgrim Visits had a strong effect on the churches, opening their eyes to the specific heavy suffering of women in war times. Gender-based violence was used as a weapon in such wars in combination with cultural and social taboos, which lead to victims being expelled from their families, villages, communities, and congregations. This had created massive suffering which was totally unknown and had never been addressed by the churches. One church leader confessed that the Women's PTV in his country felt like a trip into a totally unknown territory (worlds apart): his church had been perfectly unaware of the suffering of women and never had given them any room to express their pain or any support. This was due to the discrimination against women as inferior, less-dignified people of minor value, general gender injustice and exclusion of women in society and church, and a culture of silencing women's voices in general. The church leaders involved understood that this needs conversion: in future, more room needs to be created in the churches for women to speak up about the violations of their dignity, rights, and life they have experienced and the need for more protection. More support needs to be provided to them so they can overcome their wounds and traumas and to campaign against violence against women.

**Section 4**  
**Human Rights, Gender Justice, Racism,**  
**and Care for Creation**





## Non-Discrimination from a Christian Ethical Perspective

Ragies Gunda Massiwa

### Introduction

Christianity is a multi-faceted religious tradition that can best be described as united in diversity, having a common uniting feature—the belief in Jesus Christ—yet with various points of differences seen through the multiple denominations or confessions. It is not far-fetched to speak of competition among the various Christian confessions that are in existence, with more being born every year.

Further, Christianity co-exists with many other religious traditions, bringing about elements of competition between Christianity and these other traditions, especially those that are proselytizing and even those that are non-proselytizing but in whose territories Christianity seeks converts. Most religious traditions, including Christianity, claim possession of exclusive truth, exclusive access to the means of salvation, creating a hard and fast dividing line between believers and non-believers. This demarcation has made religions culprits and fermenters of conflict in societies across the world. Conflict fuels discrimination of some people by others; the world has seen a fair share of discrimination on religious grounds over and above many other variables that have been cited in cases of discrimination, such as gender, race, ethnicity, language, culture, disability, and political affiliation.

That Christianity, like most other religious traditions, has sponsored, justified, and entrenched discrimination in many societies, and sometimes even within families, cannot be disputed. In specific contexts, Christianity has been a perpetrator of discrimination, has supported actions of perpetrators, and has even theologized in support of discrimination. Quick examples, such as apartheid in South Africa, colonization across the world, and dispossession and displacement of Indigenous Peoples in North America through the Doctrine of Discovery come to mind. However, this is not the whole story of Christianity and discrimination: there were also instances when Christian voices were central in challenging discriminatory practices and promoting



non-discrimination. In fact, the ecumenical movement arose at a time when some Christians were clearly uncomfortable with the multiple discriminations that were being ordained by the churches in various parts of the world. Central to the ecumenical movement's life and work has been this question: What is the Christian right way or the wrong way of responding to what is happening around us? José Miguez Bonino express this view succinctly:

It is not surprising that the ecumenical movement has been deeply involved in the consideration of ethical issues. Changes in the relations of production and political organization, new cultural trends and the ideological struggles of the modern world raised a number of questions for which the traditional theological and ethical repertoire of the confessional churches had no ready-made answers and frequently not even the instruments or disposition for understanding.<sup>1</sup>

Discrimination has been a gigantic by-product of identity politics in human history. While identity, in and of itself, is a good thing in most cases, it has been used as a basis for discrimination. According to the United Nations:

the term discrimination . . . should be understood to imply any distinction, exclusion, restriction or preference which is based on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, *and which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise by all persons, on an equal footing, of all rights and freedoms.*<sup>2</sup>

As will be shown through this contribution, Christianity is an ethical religious tradition that has some standards that determine what is right and wrong in what Christians do in their everyday lives. Among the central principles that Christians generally agree on when considering the right response in specific instances are “respect for persons, beneficence, non-

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1. José Miguez Bonino, “Ethics,” in *Dictionary of the Ecumenical Movement*, ed. N. Lossky, J. M. Bonino, J. Pobee, T. F. Stransky, G. Wainwright, and P. Webb (Geneva: WCC Publications, 2002), 406.

2. OHCHR and IBA, *Human Rights in the Administration of Justice: A Manual on Human Rights for Judges, Prosecutors and Lawyers* (New York: United Nations, 2003), 651.

maleficence, and justice.”<sup>3</sup> Even as we highlight these principles, we are aware that there is significant tension on how these principles are to be applied, especially toward resolving contemporary ethical challenges. The resources or sources that should inform the ethics and the weighting of each of such sources further complicate Christian ethical perspectives. Among the possible sources are the Bible, church tradition, reason, and scientific or empirical data. Another challenge is posed by whether, in deciding what is right or wrong, one should consider the consequences or results of action to be taken or whether one should look at the action irrespective of its consequences. In the context of this paper, is discrimination right or wrong in and of itself, or is it right or wrong because of its consequences? Is it possible to have an absolute Christian ethical perspective on discrimination and non-discrimination?

## Christian Ethics

A study of this nature cannot even attempt to be exhaustive about Christian ethics. However, it is important to highlight the key issues we need to bear in mind as we seek to understand how discrimination and non-discrimination are to be understood from a Christian ethical perspective. Christianity, like all other religious traditions, is based upon ethical tenets that govern relationships and conduct, “such as the duty to widen the bounds of good-neighbourliness and the obligation to meet human need in the broadest sense.”<sup>4</sup> By ethics, we refer to the systematic questioning of what is right and wrong about human conduct; such ethical values are then widely propagated in communities so that the conduct of the individual is measured against that which has been agreed upon by society or, in the case of Christianity, that which has been prescribed by God.<sup>5</sup> Every Christian is expected to make ethical choices throughout their life, both at a personal level as well as at a communal level.

Christians make ethical choices in accordance with certain principles, which follow from their understanding of the biblical witness and their faith convictions. These are stated in various ways by different Christians and Christian traditions, but they are likely to include the following points:

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3. World Council of Churches, *Chapter 4: Ethical Perspectives* (1 January 1970), <https://www.oikoumene.org/resources/documents/chapter-4-ethical-perspectives>.

4. Arcot Krishnaswami, *Study of Discrimination in the Matter of Religious Rights and Practices* (New York: United Nations, 1960).

5. WCC, Chapter 4.

because all human beings are created and beloved by God, Christians are called to treat every person as of infinite value;

because Christ died to reconcile all to God, Christians are called to work for true reconciliation—which includes justice—among those alienated one from another;

because we are “members one of another,” being built up by the Spirit into one body, Christians are called to responsible life within community.<sup>6</sup>

### *Sources for Christian ethics*

In the history of Christianity, and in particular Christian ethics, different sources have been used to arrive at ethical positions, namely, the Bible, tradition, reason, and, lately, scientific or empirical data. These sources have not been used uniformly across the various confessions that we commonly recognize as Christian. What cannot be contested is that all Christian confessions do acknowledge the Bible, even if the results of their use of the Bible produce varied ethical solutions, sometimes even contradictory solutions. There are those groups that believe that what is written in the Bible is prescriptive and universal, hence “what is said in the Bible is immediately applied to today’s situation.”<sup>7</sup> Longenecker sums up this perspective well: “It argues that God has given prescriptive laws in the form of commandments and ordinances, which can be found in both the Old and New Testaments. If people want to know what they should do, the laws of God stand objectively before them in written form, and they have only to refer to them.”<sup>8</sup>

While most Christians identify with this thinking, it has in many instances fed discriminatory elements in the church and beyond. This is a perspective that largely disregards the socio-historical environment that produced these biblical ideas and principles, meaning that these ideas and principles need to be understood in their historical contexts before they can be appropriately applied in contemporary situations. Differences in approaches to the Bible and tradition are responsible for hampering the churches’ witness because they produce considerable disagreement within the Christian community on

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6. WCC, Chapter 4.

7. P. J. Hartin, “Christian Biblical Ethics: The Application of Biblical Norms Today,” *Koers* 56:3 (March 1991), 425–45.

8. Richard N. Longenecker, *New Testament Social Ethics for Today* (Grand Rapids: Eerdmans, 1984), 2.

how to approach certain ethical issues, threatening the spirit of “unity in diversity” which characterizes the ecumenical movement.<sup>9</sup>

The disagreement between confessions is further deepened by the existence of different traditions for these communities, emanating from differences dating back to the ethical perspectives of the church fathers.

Some of the problems faced by the early church already began to shape its ‘ethos’. How, for instance, were the Christians to respond to their pagan environment, even though they considered the worship of the pagans to be meaningless? This was more than a moot question when we consider that service in the military of the Roman Empire was a quasi-religious occasion that included the performance of many pagan rituals. Should Christians partake of such goings-on? Was it the role of Christians to transform the world or to flee from it? Many of the ‘desert fathers’ gave a clear answer to this question via their lifestyle, while those who remained behind sometimes had to face the challenge of martyrdom. Or more delicately, what was the community to do about those Christians who could not face martyrdom and who apparently or really lapsed in their faith?<sup>10</sup>

The differences that resulted in some opting for withdrawal from the world while others thought of transforming the world from within can be seen as alternative ethical responses to the challenges of that period. Church traditions, therefore, do not provide a single coherent approach to ethical dilemmas.

Since the world is made up of not only Christians, basing ethical reflections exclusively on the Bible and church tradition has the effect of absolving non-Christians of ethical conformity and responsibilities. This also has the effect of excluding non-Christians from the house of God. To counter this, it was widely accepted in Christian circles that moral laws or ethical principles are universally available to all persons because they are discernible by reason and experience; they are innate in all human beings and therefore binding on all.<sup>11</sup> The assumption is that when all human beings sufficiently apply their reason, they will arrive at the same ethical solutions, but experience teaches us this

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9. WCC, Chapter 4.

10. Joseph A. Selling, “Ethics in the Early Church,” Christian Ethics website, <https://theo.kuleuven.be/apps/christian-ethics/history/early.html>.

11. Steve Wilkins, ed. *Christian Ethics: Four Views*. Spectrum Multiview Books (Downers Grove: InterVarsity Press, 2017).

is far from true. Even reason has not produced a coherent ethical response to challenging situations. This use of reason is closely connected to the prominence given to natural sciences, especially as there is an assumption that data produced in the natural sciences is objective. There are some who now consider such data to be a source for ethical reflections: this has been the case in various areas including human sexuality, climate change, and racism. What is right or wrong can also be discerned through a critical engagement with scientific prescriptions. However, there is no unanimity among Christians as to the appropriateness of such an approach to ethical reflections within a Christian context.

*Starting point for ethical reflections: Teleological and deontological*

Without claiming to be exhaustive of the entire spectrum of ethical theories, it is safe to suggest that there are two major approaches or theories for ethical reflections. The theory that actions are right or wrong depending on the consequences that result from such actions is widely known as teleological theory.

Teleological moral theories locate moral goodness in the consequences of our behaviour and not the behaviour itself. According to teleological (or consequentialist) moral theory, all rational human actions are teleological in the sense that we reason about the means of achieving certain ends. Moral behaviour, therefore, is goal-directed.<sup>12</sup>

While there are different ways in which teleological theories are articulated, they all agree on the point at which the question of right or wrong must be directed, that is, actions can only be evaluated from the perspective of their consequences. Acts are considered good, right, or moral if they lead to pleasure, communal profit, or realization of the common good or if they bring benefits to more people than they harm. Alternatively, acts are considered bad, wrong, or immoral if they lead to pain, they result in suffering, or they benefit fewer people than they deprive. The idea of using pleasure and pain as indicators of what is right or wrong is driven by the idea that universally, human beings seek pleasure and actively avoid pain.<sup>13</sup>

Many established authorities, philosophers, and scholars reject this teleological approach to ethics and morality by emphasizing that “moral

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12. Ronald F. White, *Moral Inquiry* (Cincinnati: College of Mount St. Joseph, n.d), 11. <https://faculty.msje.edu/whiter/ethicsbook.pdf>.

13. White, *Moral Inquiry*, 12.

goodness has nothing to do with generating pleasure, happiness, and or consequences.”<sup>14</sup> The argument is that we cannot decide what is right or wrong based on the consequences of the actions; instead, actions must be right or wrong irrespective of their consequences. This is referred to as deontological theories: their import is that what is moral, right, or good depends on the fulfilment of commonly agreed upon moral obligations or duties. Such duties are held to be absolute by communities, hence “the rightness or wrongness of a moral rule is determined independent of its consequences or how happiness or pleasure is distributed as a result of abiding by that rule, or not abiding by it.”<sup>15</sup>

Therefore, deontologists believe that right and wrong have nothing to do with pleasure, pain, or consequences. Morality is based on whether acts conflict with moral rules or not, and the motivation behind those acts. An act is therefore, good if and only if it was performed out of a desire to do one’s duty and obey a rule. In other words, act out of a good will. Hence, slavery is wrong, not because of its negative consequences, but because it violates an absolute moral rule.<sup>16</sup>

A quick perusal of these two approaches or starting points for doing ethical reflections shows that they all do not leave us comfortable because there are subjective elements that make them impossible to fully enforce. If consequences are all that matters, can minorities ever feel safe and secure? How can the rights or the dignity of minorities be assured if the pleasure or benefit of the majority is all that counts for ethical reflections? Will this approach not make discrimination moral, right, or even good? When one looks at deontological theories, they all assume the existence of an absolute moral rule against which all actions are to be judged. The question is, where does such an absolute moral rule come from? Will this not empower a few elite and powerful persons to make their own rules, the same rule for everyone, in which they will benefit at the expense of everyone else? These questions are part of the basis that led to two other approaches, one of which is of interest for us in this paper, that is, the Kantian theory and the divine command theory. Below, we look at the Divine Command Theory.

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14. White, *Moral Inquiry*, 15.

15. White, *Moral Inquiry*, 16.

16. White, *Moral Inquiry*, 16.

*Divine command theory approach to Christian ethics*

In the preceding section, we noted the inherent problems that lie at the heart of both the teleological and deontological theories of morality. It is important to open this section by highlighting the problem once again: Is it even possible to distinguish absolute moral rules from mere convention, prudence, or legality, and without reference to the distribution of pleasure and pain in relation to community members? These problems led to refined theories, as noted above. In this section, I will focus on the contributions of the divine command theory and evaluate how this approach can help us consider the ethics of non-discrimination from a Christian perspective.

Divine Command Theory states that the moral goodness of an act is based on religious authority. Hence, for many Christians, killing another human being is wrong simply because it violates God's 6th commandment. In short, the rightness or wrongness of an act is based on the truthful pronouncements of an outside authority, that is to say, 'It is wrong because God or one of God's designated spokespersons said it is wrong.'<sup>17</sup>

Whereas we observed above that it is difficult, if not impossible, to distinguish between absolute moral rules and other cultural, political, or religious conventions, the divine command theory assumes this problem is solved by making absolute moral rules pronouncements by God. The Ten Commandments (Ex. 20:1-17; Deut. 5:6-21) and the Golden Rule, "Do to others as you would have them do to you" (Luke 6:31), have been cited as examples of absolute moral rules by Christians.<sup>18</sup>

Dodd is an adherent of this interpretation. He draws a distinction between codes and precepts. Codes give detailed attention to every specific situation that could arise, whereas precepts, on the other hand, aim at giving a direction to one's actions (Curran, 1984, p. 181). A major impetus given to such an approach within the New Testament stems from the prescriptive way in which many of the words of the New Testament writers including those of Jesus himself are presented. When examining the statements of Jesus, pride of place is assigned to loving God (Mark 12:29-30 in quoting Deut. 6:4-5) and loving one's neighbour (Mark 12:31, quoting Lev. 19:18).<sup>19</sup>

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17. White, *Moral Inquiry*, 16.

18. WCC, Chapter 4.

19. Hartin, "Christian Biblical Ethics," 426.

In fact, it is when Christians assign their ethical reflections to the heart of their faith—the belief in Jesus Christ, God the Father, and the Holy Spirit—that Christian ethics claim a distinctive identity separate from other non-Christian ethics.<sup>20</sup> The danger is when the Christian resources for ethical reflections are taken literally because of the multiplicity of injunctions, prescriptions, and ideas that are highly contextual to their time and difficult or impossible to apply elsewhere. While Christians in general will agree on this distinctive character of Christian ethics, it is true that “the churches’ witness is hampered by the considerable disagreement within the Christian community on how to approach certain ethical issues, threatening the spirit of ‘unity in diversity’ which characterizes the ecumenical movement.”<sup>21</sup> Clearly, what the Bible says and what has been inherited from church tradition and what human reason can process are all important for Christian ethical reflections; the critical point of departure from other forms of ethical reflections is not simply the infusion of God by Christians. Instead:

The major difference lies in the very relation of the Christian to God. This relationship must certainly influence the way in which the Christian makes decisions. For the Christian the starting-point for ethical reflections lies in this relationship response. This, however, does not deny the value for the Christian of human ethical reflection on how other people live and give meaning to their existence . . . the aim of appropriation is not to take over simply the ideals or norms as specified in the Bible. Instead, one attempts to discover the direction opened up by the Bible, which points towards a relationship that is initiated between God and those whom he has called. This relationship brings with it the call to a response. The Christian believer is called upon to penetrate this meaning more fully in appropriating the biblical message.<sup>22</sup>

To this extent, it is possible that “if ethics is to reveal the practical reality of the nature of God in the here and now through his [one] church,” then it is important to agree that Christian ethical reflections must “agree and affirm from scripture and our experiences that God is love, God loves mercy and righteousness, God is just; and that Jesus and the Holy Spirit will lead us into all truth . . . [according to] John 10:10—Jesus came to reveal the nature of

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20. Hartin, “Christian Biblical Ethics.”

21. WCC, Chapter 4.

22. Hartin, “Christian Biblical Ethics,” 431–32.



God, a generous God, so that ‘we may have life and have it abundantly’. Not some, but all.”<sup>23</sup> In this context, Christian ethical reflections must consider ethical those actions that respect justice, love, and affirm life. This somehow brings the divine command theory to the Kantian theory, whose maxim is expressed in this way:

The easiest way to understand what Kant has in mind is to focus on the Kantian imperative stating that we must “always treat persons as ends and never as means.” He suggested that it’s best to think of humanity as if it were a “kingdom” composed of “ends”; that is a kingdom of ends. When we treat persons as means to our own ends we essentially de-humanize them and devalue them to the level of mere things or property.<sup>24</sup>

It is at this point that Christian ethics, with its distinctive character and Western secular ethical theories, coalesce on the centrality of the well-being of human beings in ethical reflections; this can be expanded to include the environment. Therefore, any actions that threaten the well-being of human beings are to be understood as wrong because God has promised all, not some, “abundant life.”

## Discrimination

If we concluded the preceding section by noting that Christian ethical reflections must be guided by the commitment to “abundant life for all,” how then does Christianity become complicit in discriminatory practices against not only non-Christians but other Christians as well? As we seek to answer this question, we will briefly begin by articulating what we mean by discrimination. In very simple terms, “discrimination means treating a person unfairly because of who they are or because they possess certain characteristics.”<sup>25</sup> The United Nations has a more detailed definition of discrimination:

With regard to the term ‘discrimination’ in the International Covenant on Civil and Political Rights, the Human Rights Committee has stated its belief ‘that the term discrimination’ as used in the Covenant

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23. T. Makgoba, “Ecclesiology and Ethics: A Critical Self-Reflection,” *The Ecumenical Review* 67:4 (December 2015), 498–504.

24. White, *Moral Inquiry*, 21.

25. EOC website, “What Is Discrimination?” <https://www.eoc.org.uk/what-is-discrimination>.

should be understood to imply any distinction, exclusion, restriction or preference which is based on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, *and which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise by all persons, on an equal footing, of all rights and freedoms.*<sup>26</sup>

In a sense, discrimination occurs only when differences or diversities are used to deprive some people without regard to merit, thereby disadvantaging such people in the life and activities of given communities.

Discrimination strikes at the very heart of being human. It is harming someone's rights simply because of who they are or what they believe. Discrimination is harmful and perpetuates inequality. . . . At the heart of all forms of discrimination is prejudice based on concepts of identity, and the need to identify with a certain group. This can lead to division, hatred and even the dehumanization of other people because they have a different identity.<sup>27</sup>

Discrimination manifests itself in various forms, including direct or explicit discrimination where laws and/or policies are put in place to place a greater burden on some groups and not others: for example, a law or policy that disqualifies women of childbearing age, irrespective of their competence and qualification. There is also indirect or implicit discrimination where laws or policies appear neutral because they make a general demand on all but ignore historical deprivations that make such a demand difficult for some and not all. A policy that demands that everyone should own property, be financially stable, or have experience may discriminate indirectly against those who suffer from inherited deprivations. These forms of discrimination are widespread and have disproportionately affected minorities, migrants, people of African descent, women, children, sexual minorities, Dalits, Roma, and Indigenous populations.

It is also important to observe that, while several variables are basis of discrimination in societies, these variables intersect on various points, leading to intensification of discrimination for some people. Take, for example, the case of a young person of African descent who has moved into a new

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26. OHCHR and IBA, Human Rights, 651.

27. Amnesty International, "Discrimination," <https://www.amnesty.org/en/what-we-do/discrimination>.

community in the global North. This young person is affected by several variables: she or he is Black, migrant, inexperienced, poor, and might also be female and Muslim. All these variables will increase this person's vulnerability to discrimination and exploitation.<sup>28</sup> The OSCE recognizes that manifestations of discrimination and intolerance threaten the security of individuals and may give rise to wider-scale conflict and violence that undermine international stability and security.<sup>29</sup> Discrimination undermines the Christian commitment to the "abundant life for all," as previously stated. Below I highlight how discrimination is against the essence of Christian ethical reflections.

## **Discrimination and Christian Ethics**

There are two sides of discrimination that must occupy our conversations: that is, the discrimination *toward* Christians, especially in areas where they are in the minority; and the discrimination *by* Christians, especially where they are in the majority and part of the powerful in that society. However we look at it, ethical principles must address the question of the rightness or wrongness of discrimination, irrespective of the target of that discrimination. I raise this point because of inconsistencies in our ethical reflections depending on who the target of discrimination is. In short, if we feel strongly that discrimination of Christians is wrong, we might want to ask ourselves: Is discrimination or discrimination toward Christians wrong? Alternatively, is discrimination or Christian discrimination of others wrong? Research have shown that

Most religions and beliefs are imbued with a sense of the oneness of mankind, [even though] history probably records more instances of man's inhumanity to man than examples of good-neighbourliness and the desire to satisfy the needs of the less fortunately placed. Not infrequently, horrors and excesses have been committed in the name of religion or belief. In certain periods of history organized religions have displayed extreme intolerance, restricted, or even denied human liberties, curtailed freedom of thought, and retarded the development of art and culture.<sup>30</sup>

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28. Amnesty International, "Discrimination."

29. OSCE and ODIHR, *Intolerance and Discrimination against Christians: Focusing on Exclusion, Marginalization and Denial of Rights* (Vienna: OSCE and ODIHR, 2009).

30. Krishnaswami, *Study of Discrimination*.

The quotation above captures the reality of the contribution of religions to discrimination and more throughout human history, especially in those instances when religious traditions entered into relationships with imperial political institutions. The history of colonialism of the 18th through the 20th centuries has sordid stories of Christians complicit in the discrimination and exploitation of people in colonized lands in Africa, the Americas, and Asia. The theological justification of apartheid in South Africa by Christian theologians remains an asterisk in Christian history on the African continent.<sup>31</sup> In a way, it is true that Christian ethical reflections at different times in history have supported discrimination, in which discrimination has been understood, I think erroneously, as symbolizing obedience to scriptures, church tradition, and reason.

However, it must be stressed that such manifestations of intolerance by organized religions or beliefs were usually the result of traditions, practices and interpretations built up around them; often the followers of a religion or belief considered it to be the sole repository of truth and felt therefore that their duty was to combat other religions or beliefs.<sup>32</sup>

When we revisit the discrimination of women, sexual minorities, and people of African descent, we notice how certain interpretations of scriptures, traditions, and the application of reason were all harnessed with the mistaken assumption of faithfulness to the faith. This is not to deny the fact that there are disturbing texts in the Bible that can easily be read as justifications for discrimination, but it is a recognition of the all-important role of believers—that of interpreting scriptures—which is dependent on many variables, including our prejudices.

It is important to highlight that having a distinct religious identity from others is not in itself discriminatory, but denying some people access to resources and rights because of their distinct religious identity is discriminatory, whether Christians are the targets or the perpetrators. And as we saw in earlier sections, Christian ethical reflections, guided by the principle that all persons are assured of an abundant life by God, have no room for discrimination because discrimination undermines or negates this abundant life for all.

31. Masiwa Ragies Gunda, "Understanding the Role of the Exodus in the Institutionalization and Dismantling of Apartheid: Considering the Paradox of Justice and Injustice in the Exodus," *Religions* 12:8 (2021), 605. <https://doi.org/10.3390/rel12080605>.

32. Krishnaswami, *Study of Discrimination*.

## Non-Discrimination and Christian Ethics

If discrimination is incompatible with Christian ethical reflections, does that mean non-discrimination is the ethical thing to do from a Christian ethical perspective? While there are possibilities of challenging this position, it would seem that if the quest for “abundant life for all” remains a guiding principle for Christian ethical reflections, then non-discrimination is indeed the ethical position for Christians as they respond to the discrimination of Christians or the discrimination perpetrated by Christians. Scriptural and tradition precedents can be harnessed to sustain this approach to Christian ethics.

The Bible, in the Book of Leviticus (19:33-4), expressed the ideal of tolerance to strangers in the following words: ‘And if a stranger sojourn with thee in thy land, ye shall not do him wrong. The stranger that sojourns with you shall be unto you as the homeborn among you, and thou shalt love him as thyself; for ye were strangers in the land of Egypt; I am the Lord your God’.<sup>33</sup>

The injunction to care for and accommodate the stranger runs through the Old Testament in ways that other injunctions to harm the stranger do not, hence the privileging of this particular injunction. Strangers were then almost always understood as vulnerable, a position that remains true to date, unless they are colonizing strangers. However, it is clear that the Old Testament texts about caring for strangers have in mind weak and vulnerable strangers as opposed to the colonizing stranger. Other texts in prophetic books also make it an obligation for Israelites to protect and defend the vulnerable—widows, orphans, and strangers. In the New Testament, protecting the weak and vulnerable is considered virtuous. This is highlighted especially in Luke 10:25-37, the parable of the good Samaritan. Jesus’ question, “Which of these three do you think was a neighbour to the man who fell into the hands of robbers?” helps us appreciate what followers of Jesus were committing themselves to. A life of going out of your way to assure an abundant life for another! In such a scenario, it is impossible to envision discrimination becoming acceptable in such a community.

Besides the biblical resources, there are instances in the history of the church that also teach us to value non-discrimination. Again, there are instances where some leading church personalities might have supported discrimination as a

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33. Krishnaswami, Study of Discrimination.

way of preserving the faith, but it is the non-discrimination teachings that are more enduring and remain consistent whether Christians are in the majority or in the minority.

St. Thomas of Aquinas, a leading exponent of Catholicism, taught as early as the thirteenth century that it was a duty of Governments to uphold freedom of dissident religions before the law and to avoid the scandals and dissensions which suppression of these liberties and guarantees would entail. He also taught that Governments had a duty to avoid compromising the eternal salvation of the dissidents who, thus given their freedom, may be freely converted to the truth.<sup>34</sup>

The ideas of Aquinas come from a period when the church or Christianity had become a dominant religion in Europe, with influence in both public and private life, and at a time when “heresy” was still prominent and fatal. In that context, a Christian counselled governments to respect the rights of all persons and opined that people cannot be forced to adopt the Christian faith; rather, they should be convinced into conversion while enjoying their freedom. Whereas discrimination could have been a much more effective strategy for converting targets, Aquinas understood that such conversions were not sustainable. Hence, he opted against discrimination. From this, it is possible to argue that Aquinas considered non-discrimination the ethical position to adopt and remain faithful to the Christian faith. This position appears to have been further sustained in the writings of the 16th-century Catholic authority Francisco Suarez SJ, nicknamed *Doctor Eximius et Pius* (“Exceptional and Pious Doctor”), who wrote: “The temporal power of the Prince does not extend to the prohibition of the religious rites [of dissidents]; no reason for such prohibitions can be advanced, save their contrariety to the true Faith, and this reason is not sufficient with respect to those who are not subject to the spiritual power of the Church.”<sup>35</sup>

This is especially important in a world characterized by religious pluralism; religious diversity is to be accepted, and discrimination based on religious diversity is unacceptable. This argument has the same weight in contexts where Christians are in the majority and have influence across the levers of power and authority, as in those contexts where Christians are powerless minorities. Our responses to discrimination ought to be consistent irrespective of whether Christians are targets or perpetrators.

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34. Krishnaswami, Study of Discrimination.

35. Krishnaswami, Study of Discrimination.

In the 17th century, we can draw upon the ideas of John Locke, whose first *Letter concerning Toleration* gives far-reaching teachings on non-discrimination. In this letter, published in 1689, the year after the English revolution, he wrote:

Thus if solemn assemblies, observations of festivals, public worship be permitted to any one sort of professors, all these things ought to be permitted to the Presbyterians, Independents, Anabaptists, Armenians, Quakers, and others, with the same liberty. Nay, if we may openly speak the truth, and as becomes one man to another, neither pagan nor Mahometan [sic] nor Jew ought to be excluded from the civil rights of the commonwealth because of his religion . . . And the commonwealth which embraces indifferently all men that are honest, peaceable, and industrious, requires it not. Shall we suffer a pagan to deal with trade with us, and shall we not suffer him to pray unto and worship God? If we allow the Jews to have private houses and dwellings amongst us, why should we not allow them to have synagogues? Is their doctrine more false, their worship more abominable, or is the civil peace more endangered by their meeting in public than in their private houses? But if these things may be granted to Jews and pagans, surely the condition of any Christians ought not to be worse than theirs in a Christian commonwealth. . . . If anything passes in a religious meeting seditiously and contrary to the public peace, it is to be punished in the same manner, and not otherwise than as if it had happened in a fair or market. These meetings ought not to be sanctuaries for factious and flagitious fellows. Nor ought it to be less lawful for man to meet in churches than in halls; nor are one part of the subjects to be esteemed more blameable for their meeting together than others.<sup>36</sup>

Toleration or non-discrimination in the understanding of John Locke was meant to be universally applicable on matters of religion explicitly and on all other matters implicitly. He is a man of his time, a time of religious wars and conflicts in the post-Reformation period in Europe, but he writes for his audience back then as if he were writing for contemporary people, when he says: “The toleration of those that differ from others in matters of religion is so agreeable to the Gospel of Jesus Christ, and to the genuine reason of

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36. Krishnaswami, Study of Discrimination.

mankind, that it seems monstrous for men to be so blind as not to perceive the necessity and advantage of it in so clear a light.”<sup>37</sup>

Non-discrimination of all human beings brings greater advantages to society as a whole than the benefits that accrue to some through discrimination. And in another passage of the same letter, he enunciated another idea which has a modern ring to it:

No man by nature is bound unto any particular church or sect, but everyone joins himself voluntarily to that society in which he believes he has found that profession and worship, which is truly acceptable to God. The hope of salvation, as it was the only cause of his entrance into that communion, so it can be the only reason of his stay there. . . . A church, then, is a society of members voluntarily united to that end.<sup>38</sup>

A Christian ethical reflection that is faithful to the gospel of Jesus Christ cannot sustain discrimination: by this is meant the unfair treatment of some people on whatever grounds that result in such persons being denied access to a fulfilling life. Alternatively, a Christian ethical reflection on the relationship of persons concludes that non-discrimination is the only ethical approach to human relations. Non-discrimination entails respecting the rights of all persons, especially the vulnerable and minorities, and it must begin at the local level with implications for the global. Indeed, “the road to ecumenism lies through attention to the locality one knows best. Global issues always have their local manifestations. Local questions generally have their global implications.”<sup>39</sup>

While Christians have several sources to consult when reflecting on the ethics around various aspects of life in the community, it is important to acknowledge that these sources do not impose ethical blueprints that we can simply cut and paste into our contexts. The role of these sources is character formation; they provide orientations, narratives, models, types, paradigms, and inspirations—elements permitting us to acquire, on our own initiative, a ‘hermeneutic competency’ and thus the capacity to judge.<sup>40</sup> The present

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37. John Locke, “A Letter Concerning Toleration” (1689).

38. Krishnaswami, *Study of Discrimination*.

39. Isabel A. Phiri, “The Ecclesiology and Ethics Debate and the Pilgrimage of Justice and Peace: An African Perspective,” *The Ecumenical Review* 67:4 (December 2015), 621–34.

40. Christopher Rowland and Jonathan Roberts, *The Bible for Sinners: Interpretation in the Present Time* (London: SPCK, 2008), 59–60.



generation cannot abnegate their responsibility to reflect ethically on what affects and threatens the “abundant life for all” today; that task does not fall onto the shoulders of past generations. Rabens explains the task brilliantly:

Practicing such discernment is a challenge and will remain subjective. Nevertheless, the apostle Paul promises that Christians are not left alone in the task of ethical discernment. Rather, as the body of Christ they ‘have the mind of Christ’ (1 Cor 2:16; cf. Phlp 2:5). This very fact should provide us with a more optimistic attitude towards our own hearts, inclinations and feelings, as we corporately let our imagination be shaped by Scripture and listen to what the Spirit has been saying to the churches throughout history (cf. church tradition[s] and the embodiment of the Christ-story in the lives of the saints) and is saying today (cf. Rv 2:7, 11, 17, 29; 3:6, 13, 22; Jn 16:12–14).<sup>41</sup>

This brings us to the hermeneutical question that can be decisive in Christian ethical reflection: What would Jesus have done in this situation?

## Concluding Observations

Christian ethics and all other ethical traditions out there have a lot in common but also possess some distinctive elements that set them apart. Central to most ethical traditions is the quest to build healthy and sustainable human relations within and among communities. Healthy and sustainable relations are possible only where all persons are given equal opportunities to thrive, with duties and responsibilities being distributed fairly across the society. That some human beings try to subvert healthy relationships to their own advantage cannot be disputed, because history is replete with such persons and groups. For that reason,

Ethics remains a touchstone of ecumenicity, not in isolation from other concerns, nor as a one-sided lobby, but as Christian personal and community praxis, as a doctrine that is aware of the practice from which it springs and to which it leads, and as action that acknowledges the doctrine that is implicit in it and its responsibility to the ecumenical Christian community in time and space . . . Ethics makes the ecumenical movement ever aware of the world in which it

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41. Volker Rabens, “The Bible and Ethics: Pathways for Dialogue,” *In die Skriflig* 51:3 (May 2017), a2246, <https://indieskriflig.org.za/index.php/skriflig/article/view/2246/4510>.

operates, both in the sense of the reality from which it emerges and of the influence it exerts and should exert on it.<sup>42</sup>

The belief that all human beings are created in the image of God and that Jesus Christ died on the cross to reconcile all human beings to God suggests that discrimination is incompatible with these central Christian beliefs. Therefore, non-discrimination is to be taken as praxis emerging out of the Christian faith. As new situations emerge, the ecumenical moral community must pay attention to new situations from the lens of “Does this action promote or inhibit abundant life for all?”<sup>43</sup>

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42. Bonino, *Ethics*, 406–12.

43. Phiri, “Ecclesiology and Ethics Debate.”



## The Challenge of Racism for Christians and the Church

Evelyn L. Parker

What are the main challenges about the protection of human dignity and human rights today for churches worldwide? I posit that racism, found in every region around the globe, is the main challenge to the protection of human dignity and human rights for churches. All challenges to the church—including trafficking in women and children, climate change, nuclear disarmament, statelessness, and economic inequality—are connected to racism. We live in a world where human beings engage in pious practices each day yet simultaneously render other human beings as less than human through daily acts of racial macro- or microaggressions.

Racism challenges churches to question how we justify trauma inflicted on people because of the colour of their skin, their culture, or their national origin. Why do Christians tolerate violence or remain silent when their governmental and religious leaders develop and implement death-dealing policies that harm, hinder, or destroy other people? How does the church take authority to maintain the human dignity and human rights of all persons in the human family in a world governed by racism and white supremacy? I offer reflections on the above questions as a womanist practical theologian concerned about issues of practice and embodied beliefs at the intersection of race, class, gender, and sexuality using theological anthropology and ecclesiology as areas of discourse related to Christian practices. I hope to fertilize the soil for new life-giving conversations, action, and policies at the WCC 11th Assembly in Karlsruhe, Germany. Racism is the primary challenge of the church worldwide.

In order to understand how to centre anti-racist work in the churches, we must first define what we mean by racism, white supremacy, and racial discrimination. Racism as “a system of advantage based on race” has been the definition that I have consistently embraced upon reading Beverly Daniel Tatum’s book *Why Are All the Black Kids Sitting Together in the Cafeteria?*

*And Other Conversations about Race.*<sup>1</sup> Tatum appropriates David Wellman's definition, noting that racism is more than individual prejudice: it is an ideology that informs beliefs, values, and cultural norms to the advantage of those who have power and privilege (that is, white privilege).

Racism is a system with an ideology through which “we are taught to represent, interpret, understand, and make sense of social existence.”<sup>2</sup> White supremacy is a “system of individual, institutional, and societal racism in which whiteness—that is, ‘white’ bodies and cultural and social practices associated with those deemed ‘white’—are deemed normative and superior, and through which white people are granted advantaged status of various kinds.”<sup>3</sup> It is “an overarching political, economic, and social system of domination.”<sup>4</sup> Racial discrimination “is defined as any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect to nullify or to impair 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.”<sup>5</sup> Being specific with our understandings of racism assists us in addressing its various manifestations in our lives and in our faith communities.

The WCC newsletter headlines read: “In an unprecedented move against the leadership of the World Council of Churches (WCC) and the ecumenical movement, WCC associate general secretary Prof. Dr Isabel Apawo Phiri was yesterday apprehended, interrogated and deported from Ben Gurion International Airport.”<sup>6</sup> No one would have imagined that an official of the

1. Beverly Daniel Tatum, *Why Are All the Black Kids Sitting Together in the Cafeteria? And Other Conversations About Race* (New York: Basic Books, 2017), 87.

2. Robin DiAngelo, *White Fragility: Why It's So Hard for White People to Talk About Racism* (Boston: Beacon Press, 2018), 21.

3. Jennifer Harvey, Karin A. Case, and Robin Hawley Gorsline, *Disrupting White Supremacy from Within: White People on What We Need to Do* (Cleveland: Pilgrim Press, 2004), 4.

4. DiAngelo, *White Fragility*, 28.

5. Ion Diaconu, “Racial Discrimination: Definition, Approaches and Trends.” Member of the International Convention for the Elimination of All Forms of Discrimination. [https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwiQ-\\_339Jj4AhVQZTABHTyfAbcQFnoECACQAQ&url=https%3A%2F%2Fwww.ohchr.org%2FDocuments%2FIssues%2FRacism%2FIWG%2FSession8%2FIonDiaconu.doc&usg=AOvVaw35wGLqxTIz2F1WeWzm-ltw](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwiQ-_339Jj4AhVQZTABHTyfAbcQFnoECACQAQ&url=https%3A%2F%2Fwww.ohchr.org%2FDocuments%2FIssues%2FRacism%2FIWG%2FSession8%2FIonDiaconu.doc&usg=AOvVaw35wGLqxTIz2F1WeWzm-ltw).

6. WCC News Brief, “WCC: Israeli Action Towards WCC Leadership Unjust, Discriminatory and misinformed,” 24 June 2021, [https://www.oikoumene.org/news/wcc-israeli-action-towards-wcc-leadership-unjust-discriminatory-and-misinformed\\_](https://www.oikoumene.org/news/wcc-israeli-action-towards-wcc-leadership-unjust-discriminatory-and-misinformed_)

WCC would have had such an experience as she was traveling with colleagues to attend consultations with church leaders in Jerusalem to fulfil her duties. The article further stated that “Phiri was the only African member of the WCC staff delegation, the only one denied entry, and that the reason given for her deportation was ‘Prevention of illegal immigration considerations . . .’”<sup>7</sup> The charges brought against Prof. Dr Phiri were illogical and unjustifiable, just as the courts eventually ruled against the charges. The only logical reason was blatant racism of a subtle or tacit nature.

Lerato,<sup>8</sup> a young woman from the Eastern Cape province of South Africa, is an international soccer player. She was aggressively recruited by Small Town Community College (STCC), a two-year Christian college in the western region of the United States, to play on the women’s soccer team. Her recruitment occurred mid-year, which is unusual since athletes are usually recruited during the spring academic term for enrolment in the upcoming fall. She was promised a full academic scholarship and other support for her contributions to a potentially winning soccer team at STCC. After her parents made several attempts to vet STCC, they reluctantly agreed to allow their daughter to travel to the college.

Upon her arrival, Lerato faced many racist microaggressions—subtle, insidious forms of racism—on the STCC campus and a nearby small town. Lerato was enrolled in all elective courses, which are less challenging courses usually offered to athletes when coaches want them to focus more on their sport than on receiving a good college education. She should have been enrolled in general education requirements, including science, math, and English courses. While her first language was English, her peers told her she talked funny and mocked her accent. Some teachers constantly asked her to repeat statements, saying they couldn’t understand her English. Her soccer coach did not keep his promises to help her obtain a job to pay for additional expenses like her phone bill and personal hygiene items once she arrived on campus. Also, he told Lerato that the soccer fields in South Africa were inferior to those in the United States. The coach tacitly suggested that Lerato was the sole reason why STCC was having a bad season, that she was athletically incapable of performing as he needed to obtain victories for the women’s soccer team. The coach told Lerato that he no longer needed her to play soccer, and thus she would lose her scholarship and it would be impossible for her to continue her education. This case and the experience of

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7. WCC News Brief, “WCC: Israeli Action.”

8. Names of students and educational institutions have been changed.

deputy general secretary Prof. Dr Isabel Apawo Phiri, discussed above, bear witness that racism is a global problem.

Prof. Dr Phiri's experience and Lerato's story illustrate implicit racial insults and stereotypes: microaggressions. Prof. Dr Phiri was judged as unworthy of entering Israel and stereotyped as an African who might violate her visa and remain in the country. Lerato was judged on an abnormal speech pattern, the inferiority of her home country and its sports culture, and stereotypes about the academic and athletic ability of Black Africans. The microaggressions that Prof. Dr Phiri and Lerato experienced are rooted in systematic racism with an ideology that socialized those with white privilege to practise behaviours shaped in the belief that Black Africans are inferior to the norm of being white and Western. The belief that Black life and culture is abnormal and Eurocentric life and culture is normal is perpetuated. As such, all Black Africans are high risks for visa violations. Normal speech does not have an accent. Normal students are neither of African descent nor female. Normal athletes, regardless of race, are not capable of academic achievement; their worth is judged by their athletic prowess. In addition to stereotypes and norms, racial hierarchies are prevalent in North America. "The racial ideology that circulates in the United States rationalizes racial hierarchies as the outcome of a natural order resulting from either genetics or individual effort or talent."<sup>9</sup> Those who are white and descended from European countries are considered to be genetically superior to all other ethnicities.

Microaggressions and macroaggressions happen to both individuals and groups of racial or ethnic minoritized people. While microaggressions are subtle and implicit acts of racial injustice, macroaggressions are explicit and overt activities of racism. Macroaggressions in the United States include heinous activities such as Jim or Jane Crow laws and poll tax laws as well as horrendous acts of racial violence such as lynching, racial profiling, killings by police, and other forms of execution of racially or ethnically minoritized people.

Microaggressions and macroaggressions are unceasingly perpetrated by people who identify themselves as Christian. They confess belief in Jesus Christ, yet their daily practices are inconsistent with the teachings of Jesus. Christianity and the Christian faith are incompatible with micro-aggressive or macro-aggressive behaviours. Scripture shows that throughout Jesus' ministry,

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9. DiAngelo, *White Fragility*, 21.

he was on the side of the oppressed and devoted his life to activities of justice for them. He went about concretizing God's command to be merciful, do justice, and exhibit humility.<sup>10</sup>

Why, then, do Christians justify trauma inflicted on people because of the colour of their skin, their culture, or their national origin? This question is not only relevant to why Christians justify the trauma of other human beings; it is also relevant to human rights and human dignity. Human beings, and Christians in particular, justify inflicting trauma on living creatures if they are deemed as not human. African-descended people were not considered human beings by those who enslaved them. They were viewed as animals, brutes, chattel by white people who saw themselves as the superior race. The history of enslavement of African-descended people shows evidence that they were considered as chattel or property of a white owner. It was believed that enslaved Africans had inferior intelligence and did not experience pain. James Marion Sims, the so-called father of modern gynaecology, performed experiments on enslaved African women with vesicovaginal fistulas without anaesthesia to develop instruments to cure this medical problem. "Critics say Sims cared more about experiments than in providing therapeutic treatment, and that he caused untold suffering by operating under the racist notion that black people did not feel pain."<sup>11</sup>

Such beliefs and practices have continued to perpetuate the suffering of African-descended people at the hands of whites who believe Blacks are not human. Thus, being human not only means African-descended people felt pain but also that they are biologically, physiologically, and psychologically the same as any other human beings, regardless of their race or ethnicity. Being human means having the aforementioned assets, but it also means having theological assets that include a spirit that is enfleshed or incarnated and communes with the Holy Spirit. It also means being created in the image and goodness of God, *imago Dei*. African-descended or Black people are created in the image of God, and God's Spirit dwells within the bodies of Black Christians. The act of desecrating or harming the body of a Black Christian or any person of colour is in fact harming God's vessel. Yet, if the

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10. Theron Ford and Blanche Jackson Glimps, *Religion and Racism: Exploring the Paradox—Can You Be a Christian and a Racist?* (New York: Peter Lang, 2020).

11. Brynn Holland, "The 'Father of Modern Gynecology' Performed Shocking Experiments on Enslaved Women," *History Channel*, <https://www.history.com/news/the-father-of-modern-gynecology-performed-shocking-experiments-on-slaves>.



person of colour is not considered human, acts of violence to the black or brown body seem justified.

Racism evident in macro- or microaggressions is incompatible with the Triune God, who created all humankind in the likeness and image of God. In addition, “in Christ Jesus [we] are all children of God through faith. There is no longer Jew or Greek, there is no longer slave or free, there is no longer male and female; for all of [us] are one in Christ Jesus” (Gal. 3:26, 28). Our oneness in Christ Jesus makes us equal regardless of any phenotypic, cultural, social, or economic differences.

Likewise, if sin is understood as separation from God or the severing of our relationship with the divine creator and sustainer of the world, then the vicious activities that racist human beings perpetrate against other human beings is sin. God despises the sin of racism and racist perpetrators. Why do white Christians tolerate, at best, or remain silent when their governmental and religious leaders develop and implement death-dealing policies that harm, hinder, or destroy other people? If Black and Brown people are not considered human or are considered as unequal to white or European people, the silence of white Christians gives consent to governmental and religious leaders who create policy and commit racist acts.

Ultimately, we must ask: How does the church take authority to maintain the human dignity and human rights of all persons in the human family in a world governed by racism and white supremacy? First, white Christians must become aware that racism is a sin and recognize their role in perpetuating racism. Awareness includes becoming conscious about their acts of micro- and macro-aggressive behaviour in policies on local and governmental levels and ending the silence of white Christians that perpetuates racism. Awareness is an educational process that transforms ways of thinking and ways of doing things simultaneously. The process of becoming aware of one’s racism includes intellectual, emotional, and spiritual transformation. Pressures from the dominant culture, peers, and family make the process laborious, as does white fragility, which perpetuates racism. By fragility I mean reluctance to accept culpability. Yet, the very activity of becoming aware of one’s racism and complicity with white supremacy is the first step.

Second, as white Christians become aware of their role in perpetuating racism, they must confess their sin through prayer and worship. The Holy Spirit transforms a sincere and contrite heart, and prayer and worship provide a context for the Holy Spirit to act. Prayer and worship may be both

formal and informal; that is, they can take place in public spaces such as congregations, as well as in private spaces. Becoming aware of one's complicity with racism and white supremacy must include accompanying activities of prayer and worship that allow acts of confession, petitions for forgiveness, and transformation from activities of racism.

Third, white Christians should obtain new understandings and practices of love. The love I speak of is unconditional acceptance of all human beings received as God's gracious gift of body and Spirit. Just as the Triune God created us and those whom we love, God also created all human beings for us to love unconditionally. Love does not "rejoice in wrongdoing, but rejoices in the truth" (1 Cor. 13:6b). Thus, activities of violence in the form of microaggressions or macroaggressions are wrongdoings that are contrary to God's command for unconditional love.

Unconditional love, which is the Christian mandate, is not tolerance, which is found throughout the Durban Declaration and Plan of Action (DDPA), the international document that addresses racism. The DDPA speaks extensively about intolerance and the need to tolerate various groups. A quote from "General Issues" illustrates my point.

6. We further affirm that all peoples and individuals constitute one human family, rich in diversity. They have contributed to the progress of civilization and cultures that form the common heritage of humanity. Preservation and promotion of tolerance, pluralism and respect for diversity can produce more inclusive societies.<sup>12</sup>

Christians must act beyond tolerance to love all members of the human family so that they may flourish. This means, as the DDPA suggests, the imperative of designing, promoting, and implementing strategies to eliminate racism at national, regional, and international levels.<sup>13</sup> Education about the legacy of racism as well as structuring programs, policies, and legislation is Christian love in action.

The main challenge to Christian churches is the global pandemic of racism. The Church takes authority to maintain the human dignity and human rights of all persons in the human family amid global racism through

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12. United Nations, *World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance: Declaration and Programme of Action* (New York: United Nations Department of Public Information, 2002), 5. [https://www.ohchr.org/sites/default/files/Documents/Publications/Durban\\_text\\_en.pdf](https://www.ohchr.org/sites/default/files/Documents/Publications/Durban_text_en.pdf).

13. United Nations, *World Conference Against Racism*, para. 107, 18.

awareness of the sin of racism, confession of their role in perpetuating racism, and unconditional love that yields policies, programs, and legislations to eliminate racism. Racism as sin, confession of the sin of racism and Christian love are the foundational theological components for eradicating racism for the thriving of the human family around the globe.

## International Human Rights and Gender Justice in Church and Society

Ute Hedrich

When Jesus wanted to express the need for continuous and insistent prayer, he used the example of a widow (Luke 18). It is one of the most unequal encounters Jesus mentions: a strict and powerful judge and a—most likely—poor widow who is claiming her rights against an opponent.

A woman has to strive for her rights, has to use legal institutions to gain justice, to get a just decision against someone who is not treating her justly and equally. This widow had to insist, had to use her female power. The judge decided in her favour not because her case was clear—no judgment is even mentioned that we can understand. He decides on the basis of silencing her, of having no tension and no stress anymore due to her persistent claims.

Reading this biblical text in connection with the debates on human rights offers an ancient example of the fact that it is not self-explanatory that legal systems have addressed issues beyond the recognition of who is asking and, more precisely, if it is men or women who are requesting something.

In this chapter,<sup>1</sup> I want to indicate on the basis of practical experience, and without any claim of generalization, four issues reflecting the debate on human rights and gender:

- the missing synchronization of the fight for human rights and women's rights
- UN Resolution 1325 as a milestone in the recognition of the role

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1. The following text is from the perspective of activities in the field of gender justice, especially within the ecumenical networks of the Westphalian Church, UEM, and the work in Southern Africa and Asia. The chapter has no intention of offering an overview of or scientific research on the long debate of how far human rights have covered or included women's rights from the beginning.—see Christa Wichterich, "Human Rights and Feminist Critique," 9 March 2021, <https://rosalux-geneva.org/christa-wichterich>—but wants to add some current observations facing the situation worldwide: that after more than 60 years of the Declaration of Human Rights, equal rights for women and for LGBTIQ+ persons are still not self-evident, but often have to be claimed, like the widow did in front of the judge.

of women in the fight for peace and justice as a basis of feminist foreign policies

- a gender perspective adding recognition to the practical work of women
- the still unfinished agenda of gender justice in churches

## **The Missing Synchronization of the Fight for Human Rights and Women's Rights**

Only lately have human rights been diversified and women's rights discussed specifically.

When the feminist movement started in the 1960s and 1970s in society and its issues were taken up at the level of the United Nations, civil society organizations were the leading players pressing for this perspective. Churches, however, were late to raise these issues and focus on equal rights and equal representation.

For women (as well as for men who were born in the 1960s or even the 1970s), the Fourth World Conference on Women<sup>2</sup> in Beijing in 1995 marked a significant turning point for the global agenda for gender equality in the political field as well as in society at large:

The Beijing Declaration and the Platform for Action,<sup>3</sup> adopted unanimously by 189 countries, is an agenda for women's empowerment and considered the key global policy document on gender equality. It sets strategic objectives and actions for the advancement of women and the achievement of gender equality in 12 critical areas of concern:

- women and poverty
- education and training of women
- women and health
- violence against women
- women and armed conflict

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2. UN Women, "Fourth World Conference on Women," Beijing, 1995, <https://www.un.org/womenwatch/daw/beijing/fwcwn.html>.

3. United Nations, "Beijing Declaration and Platform for Action" (1995), [https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/CSW/PFA\\_E\\_Final\\_WEB.pdf](https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/CSW/PFA_E_Final_WEB.pdf).

- women and the economy
- women in power and decision-making
- institutional mechanism for the advancement of women
- human rights of women
- women and the media
- women and the environment
- the girl-child<sup>4</sup>

Indeed, the Beijing conference was a milestone for understanding the impact of women in society. The discussion around gender was not yet in focus during those times, but the declaration marked the relevant areas where women have been neglected, where women can add a lot, and where more focus should be directed.

An interesting fact is that one topic was entitled “Human rights of women”—indicating that women’s rights need a special focus; the inclusion of women was analyzed and seen as a missing factor.

The declaration addresses this issue as follows:

We reaffirm our commitment to:

- The equal rights and inherent human dignity of women and men and other purposes and principles enshrined in the Charter of the United Nations, to the Universal Declaration of Human Rights and other international human rights instruments, in particular the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child, as well as the Declaration on the Elimination of Violence against Women and the Declaration on the Right to Development;
- Ensure the full implementation of the human rights of women and of the girl child as an inalienable, integral and indivisible part of all human rights and fundamental freedoms.

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4. UN Women, “World Conferences on Women,” <https://www.unwomen.org/en/how-we-work/intergovernmental-support/world-conferences-on-women>.

We are convinced that:

- Women's empowerment and their full participation on the basis of equality in all spheres of society, including participation in the decision-making process and access to power, are fundamental for the achievement of equality, development and peace;
- Women's rights are human rights;
- Equal rights, opportunities and access to resources, equal sharing of responsibilities for the family by men and women, and a harmonious partnership between them are critical to their well-being and that of their families as well as to the consolidation of democracy;
- Eradication of poverty based on sustained economic growth, social development, environmental protection and social justice requires the involvement of women in economic and social development, equal opportunities and the full and equal participation of women and men as agents and beneficiaries of people-centred sustainable development;
- The explicit recognition and reaffirmation of the right of all women to control all aspects of their health, in particular their own fertility, is basic to their empowerment;

We are determined to:

- . . .;
- Ensure the full enjoyment by women and the girl child of all human rights and fundamental freedoms and take effective action against violations of these rights and freedoms;
- Take all necessary measures to eliminate all forms of discrimination against women and the girl child and remove all obstacles to gender equality and the advancement and empowerment of women;
- Encourage men to participate fully in all actions towards equality;
- Promote women's economic independence, including employment, and eradicate the persistent and increasing burden of poverty on women by addressing the structural

causes of poverty through changes uneconomic, ensuring equal access for all women, including those in rural areas, as vital development agents, to productive resources, opportunities and public services; . . .

- Prevent and eliminate all forms of violence against women and girls;
- Ensure equal access to and equal treatment of women and men in education and health care and enhance women's sexual and reproductive health as well as education;
- Promote and protect all human rights of women and girls; . . .
- Ensure respect for international law, including humanitarian law, in order to protect women and girls in particular;
- Develop the fullest potential of girls and women of all ages, ensure their full and equal participation in building a better world for all and enhance their role in the development process.
- Ensure women's equal access to economic resources, including land, credit, science and technology, vocational training, information, communication and markets, as a means to further the advancement and empowerment of women and girls, including through the enhancement of their capacities to enjoy the benefits of equal access to these resources, inter alia, by means of international cooperation. . . .<sup>5</sup>

With the declaration of the Beijing conference, the agenda was set, the basis was in place, and the feminist movement took it up in various areas of society. For many, the conference was a pushing factor for feminist initiatives: some were formed long before others came into being as a concrete follow-up. It initiated a broader discussion about gender and an analysis of gender relations in the political area, in academia (including theology), as well as in society as such, and consequently also in discussions on human dignity and human rights. It helped even to translate the call of the human rights debate into practical activities shaping the life of women, girls, and LGBTIQ+ persons.

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5. UN Women, "World Conferences on Women," <https://www.unwomen.org/en/how-we-work/intergovernmental-support/world-conferences-on-women>.



## **UN Resolution 1325 as a Milestone in the Recognition of the Role of Women in the Fight for Peace and Justice as a Basis of Feminist Foreign Policies**

This is one practical follow-up of the debates and the Beijing conference as well as on UN peacekeeping initiatives.

It took about another five years for the role and importance of women in peacekeeping processes to be acknowledged. The affirmation of full humanity called for a holistic approach to the challenges of the world. With the acceptance of the UN Security Council Resolution on Women, Peace and Security No. 1325 in 2000 a huge step was made.<sup>6</sup> Interestingly for the Christian world, the decision of the UN happened on Reformation Day 2000. Maybe this was just a coincidence, but maybe it can be seen as a wonderful sign for another starting process of change toward a more equal world with human rights and dignity of all for the sake of all.

The UN Special Advisor on Gender said in those days, under the heading “Landmark resolution on Women, Peace and Security”:

The Security Council adopted resolution (S/RES/1325) on women and peace and security on 31 October 2000. The resolution reaffirms the important role of women in the prevention and resolution of conflicts, peace negotiations, peace-building, peacekeeping, humanitarian response and in post-conflict reconstruction and stresses the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security. Resolution 1325 urges all actors to increase the participation of women and incorporate gender perspectives in all United Nations peace and security efforts. It also calls on all parties to conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, in situations of armed conflict. The resolution provides a number of important operational mandates, with implications for Member States and the entities of the United Nations system.”<sup>7</sup>

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6. UN Security Council Resolution on Women, Peace and Security No. 1325, <https://www.un.org/womenwatch/osagi/wps/>

7. OSAGI, “Landmark Resolution on Women, Peace and Security,” <https://www.un.org/womenwatch/osagi/wps>.

The resolution was taken in the aftermath of the experiences in Bosnia and Rwanda, where the question was raised of prevention of violence, protection from violence, and care afterward. The tragic severity of violence against women as a war tactic was clearly visible; it became more and more a topic on the agenda, even of the UN, and called for a gendered approach to all peacekeeping processes.

In short, one can say: No women, no peace!

Regarding peace negotiations in conflicts today, one has to ask: How many women do we see? Who is sitting around the table? Whose voices are heard by the other side? Is sexual violence as a means of war seen and reported? Can victims talk? Can women talk?

In recent times, questions have been raised, and the request for a feminist approach to foreign policies has become louder. Examples from Canada and Sweden have been analyzed and now have also entered the German foreign ministry. Minister Annalena Baerbock is understanding her foreign politics as feminist foreign politics, as seen in this comment on Twitter:

Nach kanadischem & schwedischem Vorbild wird Außenministerin Annalena @ABaerbock eine feministische #Außenpolitik verfolgen. “Wenn die Hälfte der Bevölkerung nicht gleichberechtigt beteiligt, repräsentiert oder bezahlt ist, sind #Demokratien nicht vollkommen.” @auswaertigesamt<sup>8</sup>

Participation is much more than counting numbers and looking only for equal numeric representation: it has a huge impact on the content of the politics, analyses, and strategies to follow and the way to talk.

Christine Lagarde emphasizes the special contribution of female leadership:

Women tend to have a more inclusive leadership style than their male counterparts. A recent study showed that female leaders were more effective during the pandemic, performed better under pressure, and were rated more positively on most of the competences involving interpersonal skills. It is exactly those skills that are needed to rebuild our economies in a more equitable and inclusive way.<sup>9</sup>

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8. Twitter, @phoenix\_de, 12 January 2022, <https://www.trendsmat.com/twitter/tweet/1481316904010723329>. Translation: “If half the population is not equally involved, represented or paid, #democracies are not perfect.”

9. “Women Tend to Do a Better Job”: Christine Lagarde Praises Female Leaders for Role in Pandemic,” Independent, 23 July 2020, <https://www.independent.co.uk/news/world/christine-lagarde-women-leaders-pandemic-praise-a9634531.html>.

Many years ago, Lagarde said the following, based on her experience in the business world, but one can apply it to the competencies of women in the political arena as well:

The irony is that when women lead, they tend to do as good a job, if not a better job. One study shows that Fortune 500 companies with track records of raising women to senior positions are far more profitable than the average firms in their fields. Women also are less likely to engage in the reckless risk-taking behaviour that sparked the global financial crisis in 2008. They are more likely to make decisions based on consensus-building, inclusion, compassion and with a focus on long-term sustainability.<sup>10</sup>

Maybe it is still too early to analyze the impact on feminist foreign politics, especially in this time where war situations are increasing in the world. But at least the relevance of feminist foreign policies has been recognized, and gender becomes an important aspect during elections, in recruiting, and so on. The diversity of the world and its positive aspects are more and more often considered.

#### A Gender Perspective Adding Recognition of the Practical Work of Women

Often, checklists and questions can help to organize a gender analysis of current activities. It looks simple but might help to identify real underlying issues and indicate a direction to search for an alternative approach:

Here are a few questions one might consider in a gender analysis:

- Do we ask the right questions—do we have equal participation?
- Do we reflect gender issues in all human rights issues without any great reminder?
- Gender is more than women's participation—but this is of course still valid with any issue—therefore are we inclusive toward
  - LGBTIQ+ persons
  - diversification (including people of all skin colours, people with challenges and different academic and non-academic standards)?

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10. Christine Lagarde, "The Beijing Platform for Action Turns 20," 31 August 2014. UN Women website, <https://beijing20.unwomen.org/en/news-and-events/stories/2014/8/oped-christine-lagarde>.

- Gender and finances: Who gets the money? Whose projects and ideas are more stable, better financed? Is gender budgeting an essential point before any financial decision is taken, and is it included in the financial statements?
- Are we sensitive to the shrinking spaces worldwide? Often granted rights are cut. What is the impact when systems are turning toward a stricter fundamentalist perspective? Who are the first who feel this? Is any gender analysis done to consider the impact of the implied changes? How much are traditional rituals and religious customs mentioned and their consequences discussed in a culturally sensitive manner?<sup>11</sup>
- Are there still spheres in life where straight men predominantly rule the scene? What are the narratives that foster prejudices? For example, in the finance sector, women are rarely the heads of stock indexes. Where do programs exist that address these issues in a sensitive manner?
- Gender-based violence is widely discussed. Certain cases are prominently mentioned, and the media is pouring attention on it, while the huge impact worldwide of gender-based violence often exceeds what has been recognized. Do we recognize that 1 out of 10 children experiences sexual violence—most of them girls?<sup>12</sup> Are policies in place for reporting, follow-up, care of victims, and persecution of perpetrators, and do these fit the various situations so that in the longer run, the number of cases decreases?
- Is there gender sensitivity to the question of whose stories are told? Who are the dominant figures in the public sphere? And who gets the prizes and the public recognition?

As an example, I want to share two stories—thousands could be added—to explain more clearly the last point mentioned regarding narratives and recognition.

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11. Examples for restrictive cultural values are girls having no access to education in Afghanistan or women in East Africa who still face genital mutilation.

12. According to data by the World Health Organization, one-third of women globally experience violence at least once in their lifetime. United Nations, “Gender-based Violence Against Women and Girls” (n.d.), <https://www.ohchr.org/en/women/gender-based-violence-against-women-and-girls>.

*Whose stories?*

For the past few years, the condemnation of the oppression of the Muslim Uyghur minority in China has been in the media. Research by journalists has underlined the injustice, the camps, the violence.<sup>13</sup> But when we look with a gender perspective and get to know what happens to women in Xinjiang, the story becomes more complete: women are subjected to rape and forced sterilization in the so-called re-education camps where hundreds of thousands of people are detained solely because of their religious affiliation. The exact numbers are as yet unknown.<sup>14</sup> In the current discussion, the special situation of women is partly analyzed, and the severe consequences of the genocide structures that are causing people to be detained without any clear evidence and the forced sterilization or the forced insertion of IUDs is mentioned.<sup>15</sup> It is difficult to estimate the consequences for Uyghur women.

*Who gets the recognition and the prizes?*

The Gunnar Werner Institute<sup>16</sup> has published a dossier entitled “No Women – No Peace: 20th Anniversary of UNSC Resolution 1325 on Women, Peace and Security,”<sup>17</sup> focusing on the role of women in war conflicts and peacekeeping efforts.

One woman portrayed in that dossier is Munyole Sikudjuwa Honorine.<sup>18</sup> She is one of the few women to have held the rank of colonel in the Democratic Republic of Congo.

Munyole Sikudjuwa Honorine has dedicated her life to fighting sexual violence. Currently posted to Bunia in Ituri province, the life of this policewoman has always been punctuated by journeys into conflict zones.

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13. See “Who Are the Uyghurs and Why Is China Being Accused of Genocide?” 24 May 2021, <https://www.bbc.com/news/world-asia-china-22278037>.

14. See Matthew Hill, David Campaneale and Joel Gunter, “‘Their Goal Is to Destroy Everyone’: Uighur Camp Detainees Allege Systematic Rape,” 2 February 2021, BBC News website, <https://www.bbc.com/news/world-asia-china-55794071>.

15. “China Forcing Birth Control on Uighurs to Suppress Population, Report Says,” 29 June 2020, <https://www.bbc.com/news/world-asia-china-53220713>.

16. See “Reframing Reproduction” (n.d.), Gunda Werner Institut website, <https://www.gwi-boell.de>

17. See “No Women – No Peace” (n.d.), Gunda Werner Institut website, <https://www.boell.de/de/no-women-no-peace>.

18. Wendy Bashi, “Occupation? Colonel!” 20 October 2020, <https://www.boell.de/en/2020/10/20/occupation-colonel>.

She says:

*‘I began my career in the police in Bukavu, the capital of South Kivu, in the east of the Democratic Republic of Congo. I started out as a police captain for child protection and combatting gender-based violence. I was able to reduce the levels of sexual violence simply by prosecuting suspected rapists.’*

. . . Around this time, at the end of the 1990s and early 2000s, the region was plagued by armed conflict and the number of women and young girls being raped rose constantly from week to week. Women’s bodies were transformed into battlefields between different armed groups; vaginas were cruelly cut and torn by bladed weapons and even three-month-old girls were raped. The people were literally abandoned to their fate.

Working side by side with the Nobel Peace Prize laureate

Amidst this unspeakable chaos, brave men and women stepped forward either to denounce, to help repair the deep wounds, or to hunt down these brutal offenders and bring them to justice. The person who would several years later become Colonel Honorine was at the time merely a police officer dedicated to bringing justice. She worked alongside a gynaecologist whose reputation extended beyond his surgery nestling in the hills around Panzi. He helped put back the pieces of the women’s shattered lives, both physically and mentally, while she took on the task of apprehending the perpetrators of these appalling acts. Some twenty years later, after receiving a Sakharov prize and numerous honours from around the world, the gynaecologist was awarded the Nobel Peace Prize. *‘In Bukavu, Doctor Mukwege and I would receive anonymous letters threatening us. My children were also threatened.’* For this widow, who has raised eight children singlehandedly, the fear seems palpable when she speaks of her powerlessness in the face of threats which have had a direct impact on her children.

. . . The changes currently taking place have involved a whole series of obstacles which Colonel Honorine discusses with a hint of anger. *‘I work without resources, yet the work I carry out requires resources,’* she explains whilst highlighting the difference with which men and

women are treated within the same police force; *‘In my profession, men are allocated a sufficient budget, but as a woman I am denied the necessary resources. In addition, I earn a meagre salary. I am a mother, I have several children and I am also a widow so my children live poor lives.’* Apart from these deplorable living conditions, Maman Colonelle tells how she has been the victim of harassment by one of her superiors. *‘Just because we work side by side with men, does not mean we can escape their advances. . .’* There is silence for a second or two, and then she continues her testimony. *‘When you show that you will not automatically say yes to everything they want, you become a target for those above you. We women have to learn to say no.’* Besides the harassment at her workplace, Colonel Honorine has lost count of the number of times her orders have been cancelled or even ignored simply because she is a woman.<sup>19</sup>

Colonel Honorine works against the covering up of sexual violence, helps the victims, persecutes the culprits, speaks out, risks her life—but she has never won the prize, nor is her story told like the one of the Nobel Peace Prize. Although they are mostly not visible, there are often women behind such great prizes, paving the way, supporting their part but often not asking for recognition or prizes—from their own country or from Oslo. And they have to deal with sexual harassment in their engagement.

A gender perspective can unfold the stories behind the stories, looking deeper, giving justice to the experience of men and women and children, letting those who suffer become visible, and recognizing those who are doing the work!

## **The Still Unfinished Agenda of Gender Justice in the Churches**

In the First and the Second Testament, we see how storytelling, sharing, make the Bible into a book of life, close to the context and to various situations of daily as well as extraordinary life. Till now, generations of human beings have linked their own stories to the old one and have gained peace, trust, hope, and confidence as well as critiques and challenges from this specific encounter.

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19. Bashi, “Ihr Beruf? Colonel!” <https://www.boell.de/de/2020/10/20/ihr-beruf-colonel>; translation from French by Eriks Uskalis.

But even though the majority of churchgoers, in Germany, for example, are women (which might be the case in many other countries in the world), and many stories of female leadership and power could have been told and many experiences shared, strong representation of women in leadership circles is still missing.

This remains an open question: Why has this majority of women not changed the image of the church and reiterated those biblical stories like the one mentioned above of the judge and the widow? Why was the cry or the persistence not so strong that the image of the church would have changed fundamentally?

And now we also have the stronger influence of fundamentalist perspectives as well as that of Pentecostals.<sup>20</sup>

Further, it is obvious that there is an increase in conservative non-inclusive theologies, which often see themselves as a living and active counterpart against so-called liberalism. They are striving to minimize the role and impact of women and to reject LGBTIQ+ persons.

The following table of the Lutheran World Federation indicates the regions where some churches are not ordaining women:<sup>21</sup>

Region	Number of member churches	Not ordaining yet	Ordaining
Africa	31	9 (29%)	22 (71%)
Asia	54	13 (24%)	41 (76%)
CEE	16	4 (25%)	12 (75%)
CWE	19	0	19 (100%)
LAC	17	0	17 (100%)
Nordic	6	0	6 (100%)
NA	2	0	2 (100%)
<b>TOTAL</b>	<b>145</b>	<b>27 (18%)</b>	<b>119 (82%)</b>

Here we are reflecting only on churches within the Lutheran Communion; some Lutheran churches have left the communion and have joined the Missouri Synod, a church that is strictly against women's ordination. They are

trying to expand in Asia and Africa, while in America they are losing members as well—like all the mainline churches.

20. The role of women at the beginning of the Pentecostal movement was much stronger and more evident than it is now. This is partly because there are limits—no more than 25% female pastors; no female bishops; etc.—while, on the other hand, some of the founders were women. See Christ Gehrz, “The Role of Women in Pentecostalism,” 9 September 2021, <https://www.patheos.com/blogs/anxiousbench/2021/09/women-pentecostalism>.

21. See Lutheran World Federation, “More than 80 Percent of LWF Churches Ordain Women,” 2 June 2016, <https://www.lutheranworld.org/news/more-80-percent-lwf-churches-ordain-women>



Therefore, the number of non-women-ordaining Lutheran churches in reality is higher than the number of those reflected in the statistics above.

A German overview of the representation of men and women in leadership positions in church administration within the Protestant Church in Germany (EKD) and her member churches indicates the change over a 10-year period: although the percentage of women in leadership positions has increased in nearly all churches, only two EKD member churches have reached 50 percent: the overall average in 2013 was 29 percent of female leadership positions in church administration.<sup>22</sup> Most of the churches have a male CEO, although there are of course some exceptions.

The example from Germany is not an isolated one. In 2022, a workshop of African female leaders in the churches within the WCC community gathered at the Desmond Tutu Center in Cape Town. They mentioned the following topics to be taken up:

The programme included a reflection on the Africa we pray for and leaders were invited to share their dreams and prayers for Africa (and the world) informed by the areas of concern in their various contexts.

- Gender justice often being sacrificed on the altar of church unity;
- Cultural systems of domination are often still uncritically accepted as normative;
- Contextual concerns such as food security, sexual and gender based violence, climate justice, HIV and Aids, engaging with the younger generation;
- Theological doctrine, biblical interpretations and other technicalities are put forward as justifications for excluding women from leadership.<sup>23</sup>

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22. Evangelische Kirche in Deutschland, *Gleichstellungsatlas der EKD* (2015), 24, <https://www.gender-ekd.de/download/Gleichstellungsatlas.pdf>. Unfortunately, the analysis of leadership positions in church administration is nearly 10 years old, but the tendency has not greatly changed yet.

23. See “Statement from the Inaugural Consultation of the WCC We will Lamentation” (May 2022), <https://www.oikoumene.org/resources/documents/women-church-leaders-consultation-may-2022>.

From all parts of the world, similar examples and tasks can be collected. All indicate that gender justice is still a verb in the church, is still something one has to strive for, and churches still have to have it on the agenda.

From the background of the human rights debate, the call is heard and should be heard again and again in all religious institutions and churches that equal gender representation is needed. That a conducive working environment—where women, men, LGBTIQ+ persons all feel at home and can develop and add their specific abilities to the richness and fullness of the church—is needed. An inclusive church might be the aim, might be the church of the future, but we are still on the way.

### **Some Final Thoughts for Further Consideration**

1. There can be no human rights discussion and striving for dignity without half of the population. It is therefore an intrinsic value of human rights debates to search for equal representation. UN declarations and resolutions have mentioned this, but there is still a ways to go, maybe even a longer, hilly one and a longer distance.
2. No women, no peace: With UN Resolution 1325, gender justice and human dignity and rights are translated into the political arena and have set a new tone related to foreign politics and to the recognition of women in conflict situations which might create new initiatives and new access to reconciliation.
3. The old example of the widow insisting on her rights in front of a partly unwilling and judge who lacks understanding might still be the narrative to follow in many churches and faith communities that are shaped in a patriarchal culture and are focused on an often

very long history going back thousands of years. On Easter, his tory became a “herstory”<sup>24</sup>: Mary and others carried the message of the empty grave and the resurrection, the possibility of life in the midst of death back to the disciples. What would Christianity be without the courage of the women to understand the signs of the times? Nevertheless, gender justice as a gender interpretation of human rights still needs many widows insisting, and it calls for women and men to tell the good news!

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24. This term is used in relation to Elisabeth Schüssler-Fiorenza’s book *In Memory of Her: A Feminist Theological Reconstruction of Christian Origins* (New York: Crossroad, 1983).

4. And everywhere, both at the level of the UN or in one's own context or country, or in politics, economics, religious, or social spheres, it should be clearly stated that conforming to gender equality goes far beyond the counting of men and women in certain fields and areas of activities. Being in line with the Universal Declaration of Human Rights and the respective resolution based on the consideration of gender issues leads to a new and broadened understanding on inclusivity: men and women, youth and elders, LGBTIQ+ persons, people of various social and education levels should be the subjects of any process and activity to transform human rights into the reality on the ground in any specific context.

## Thomas Berry on the Rights of Nature: Evoking the Great Work \*

Mary Evelyn Tucker and John Grim

One of Thomas Berry's major contributions to what he called the Great Work was his articulation of the principles and philosophy of Earth Jurisprudence.<sup>2</sup> He originated the term and explained its key concepts over many years.<sup>3</sup> A Gaia Foundation report acknowledges: "Earth Jurisprudence is the term first used by cultural historian Thomas Berry to name the philosophy of governance and law, in which the Earth, not human interests, is primary. It accepts that humans are born into an ordered and lawful Universe, to whose laws we need to comply if we are to be a benign presence on Earth."<sup>4</sup> Thomas developed these ideas over several decades in conversation with others.

As he saw it, even the United States Constitution is fundamentally flawed by reserving all rights for humans and recognizing none for nature. For

\* This chapter was first published in *Kosmos: Journal for Global Transformation* (Winter 2019), [https://www.kosmosjournal.org/kj\\_article/thomas-berry-and-the-rights-of-nature](https://www.kosmosjournal.org/kj_article/thomas-berry-and-the-rights-of-nature). There it was an excerpt from the book *Thomas Berry: A Biography*, by Mary Evelyn Tucker, John Grim, and Andrew Angyal: <http://thomasberry.org/publications-and-media/thomas-berry-a-biography>.

2. Thomas Berry, CP, PhD (9 November 1914–1 June 2009) was a cultural historian and scholar of the world's religions, especially Asian traditions. Later, as he studied Earth history and evolution, he called himself a "geologist." He rejected the label "theologian" or "ecoth theologian" as too narrow and not descriptive of his cultural studies in history of religions. See [https://en.wikipedia.org/wiki/Thomas\\_Berry](https://en.wikipedia.org/wiki/Thomas_Berry).

3. This is confirmed by Mike Bell: "The need for a new jurisprudence was first identified by Thomas Berry who described destructive anthropocentrism on which existing legal and political structures are based as a major impediment to the necessary transition to an ecological age in which humans would seek a new intimacy with the integral functioning of the natural world." Mike Bell, "Thomas Berry and an Earth Jurisprudence: An Exploratory Essay," *The Trumpeter* 19:1 (2003). Bell, a community advisor for Alaska's Inuit, frequently visited Thomas in Greensboro to discuss ideas and share writings.

4. See the history of the Earth jurisprudence movement at Gaia Foundation: <https://www.gaiafoundation.org/what-we-do/story-of-origin-growing-an-earth-jurisprudence-movement>; and see The Ecozoic Times: <https://ecoziotimes.com/reinventing-the-human/earth-jurisprudence/history-of-earth-jurisprudence>.

Thomas, the deficiency cries out for a fundamental transformation of our modern ideas of law. At the heart of this transformation, he noted, is the shift from a human-centred to an Earth-centred understanding of our relationship with the larger community of life. A profound change in perspective, he felt, would enable humans to recognize and protect the inherent rights of the natural world.

Given that the prevailing jurisprudence system does not protect other species or components of the living Earth, Thomas asked what a different system would look like. He pointed to various sources of inspiration, namely nature herself and Indigenous Peoples' understanding of law. The starting point, he said, is recognizing that the laws of the Earth are primary. They govern life on the planet, and human laws should be derived from these. This is clear for Indigenous Peoples, whose languages, customary laws, and governance systems are rooted in the understanding that nature regulates the order of living processes in which humans are inextricably embedded. Thus, to maintain health and wellbeing for people and the planet, humans need to comply with the dynamics of nature. For Indigenous Peoples, the relationship between land and species is regarded as sacred and involves reciprocity.

That nature has rights within this worldview is not difficult to affirm because every component of life is an interdependent dimension of the web of life with inherent rights to exist. But since the language of rights evolved in a modern context, Thomas felt that humans need to acknowledge these biases in recognizing rights in a more-than-human context. These biases include a modern anthropocentric perspective, the objectification of the natural world, a view of the world as inert or even dead, and the assumption of human domination that emphasizes a use relationship with nature in the current industrial system.

Thomas was inspired early on by Christopher Stone, a law professor at the University of Southern California. Stone was one of the first to call for judicial reform, with his ground-breaking 1974 book *Should Trees Have Standing? Towards Legal Rights for Natural Objects*.<sup>5</sup> Stone argued for the rights of natural objects (trees) or ecosystems (forests, oceans, rivers) to have legal standing and to be represented by guardians to protect them, just as corporations and charitable trusts have legal representatives. He felt that these natural objects or systems should be recognized for their own worth and dignity, not merely their benefit to humans.

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5. Christopher Stone, *Should Trees Have Standing? Towards Legal Rights for Natural Objects* (Los Altos: William Kaufmann, 1974).

Thomas drew on this position of the inherent value of nature and of natural processes: “. . . every being has rights to be recognized and revered. Trees have tree rights, insects have insect rights, rivers have river rights, mountains have mountain rights. So too with the entire range of beings throughout the universe. All rights are limited and relative.”<sup>6</sup>

Thus Thomas emphasized that “Every component of the Earth community, living and non-living has three rights: the right to be, the right to habitat or a place to be, and the right to fulfil its role in the ever-renewing processes of the Earth community.”<sup>7</sup> This position has been foundational for many of those involved in formulating and making operational an effective rights of nature approach rooted in Earth Jurisprudence.<sup>8</sup> Similar perspectives have arisen in the contemporary period with scientific understanding of the interdependence of Earth systems, particularly in ecology. Thus, by drawing on both indigenous and scientific knowledge, Earth Jurisprudence is arising to respond to the needs of the larger community of life.

## Emerging Developments of Earth Jurisprudence

Groundwork for the articulation of Earth Jurisprudence emerged with the United Nations’ World Charter for Nature in 1982. This was further developed with the Earth Charter issued in 2000 and the Universal Declaration of the Rights of Mother Earth in 2010. Thomas was especially appreciative of the World Charter for Nature. He felt it embraced a dynamic bio-centric perspective, and he built on this in his early articulation of the rights of nature.

In this spirit, in 1984, Thomas urged the Gaia Foundation in England to commit to the protection of biological and cultural diversity, restoration of healthy ecosystems, and support of Indigenous Peoples, especially in the Southern hemisphere.<sup>9</sup> Inspired by a workshop led by Thomas more than a decade later at Schumacher College in 1996, the Gaia Foundation launched an Earth Jurisprudence initiative.<sup>10</sup> It involved a commitment to explore, develop, and promote pathways to affirm that Earth-derived law takes

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6. Thomas Berry, *The Great Work: Our Way into the Future* (New York: Harmony, 1999), 5.

7. Thomas Berry, *Evening Thoughts: Reflecting on Earth as Sacred Community*, ed. Mary Evelyn Tucker (Berkeley: Counterpoint Press, 2015), 149.

8. The UN Harmony with Nature website lists experts who are committed to Earth Jurisprudence: <http://www.harmonywithnatureun.org/ejInputs>.

9. Thomas led this workshop more than a decade later at Schumacher College in 1996.

10. Gaia Foundation: [www.gaiafoundation.org](http://www.gaiafoundation.org).

precedence over human law to protect the wellbeing of all components of the Earth community.

In April 2001, the Gaia Foundation and Andrew Kimbrell, founder of the Center for Food Safety, organized a conference with Thomas Berry at the Airlie Conference Center outside Washington. A group of people involved with both law and Indigenous Peoples came together from South Africa, Colombia, Britain, Canada, and the United States.<sup>11</sup> One of those in attendance was South African lawyer Cormac Cullinan, who was inspired and encouraged by Thomas and the Gaia Foundation to write his path-breaking book, *Wild Law: A Manifesto for Earth Justice*, which was published in 2002.<sup>12</sup> In the foreword, Thomas calls for the need for explicit legal protection of the larger Earth community. In December 2002, Thomas delivered this message in his plenary talk to an international conference on Earth Jurisprudence at Pace University Law School and its Academy for the Environment. Robert Kennedy, Jr., an environmental lawyer at Pace, was particularly influenced by Berry's thinking. The following year, in October 2003, Thomas delivered the E. F. Schumacher Lecture in Great Barrington, Massachusetts, entitled "Every Being Has Rights," which was received with enormous appreciation.<sup>13</sup>

In 2002, an African regional network was formed—the African Biodiversity Network—with one of its major priorities being to revive indigenous knowledge systems and their Earth Jurisprudence underpinning, inspired by Thomas and supported by the Gaia Foundation.<sup>14</sup> In 2005, the Nobel Laureate Wangari Maathai and her legal adviser, Ng'ang'a Thiongo, campaigned, as advised by Thomas, to incorporate an Earth Jurisprudence preamble in the new Kenyan constitution.

In the fall of 2006, a major step forward in institutionalizing Earth Jurisprudence occurred with the creation of the Center for Earth Jurisprudence at the schools of law at Barry University and St. Thomas University in Florida. Sr. Patricia Siemen, an environmental lawyer and professor, was the founder and first director. Drawing on Berry, she has written on Earth Jurisprudence

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11. Those attending included Liz Hosken, Ed Posey, Andy Kimbrell, Jules Cashford, Cormac Cullen, Brian Brown, Martin von Hilderbrand, and John Grim.

12. Cormac Cullinan, *Wild Law: A Manifesto for Earth Justice*, 2nd ed. (Dartington: Green Books, 2003).

13. Thomas Berry, "Every Being Has Rights," Annual E. F. Schumacher Lectures, October 2003, <http://thomasberry.org/publications-and-media/every-being-has-rights>.

14. African Biodiversity website, [www.africanbiodiversity.org](http://www.africanbiodiversity.org).

in a cosmological perspective.<sup>15</sup> The establishment of the centre was inspired by “the processes and laws of the natural world that sustain all life forms, the writings of Thomas Berry and other environmental philosophers, lawyers and scientists, and the reverence and care for all of creation.”<sup>16</sup>

In 2008, the Center for Earth Jurisprudence created the Earth Law Center. Its first executive director, environmental attorney Linda Sheehan, advanced passage of new Rights of Nature laws, advocated for rights of rivers to flow, held local Rights of Nature Tribunals, promoted Rights of Nature before the United Nations, developed and taught an Earth Law class at Vermont Law School, and offered specific strategies to address the growing number of co-violations of nature’s rights, human rights, and the rights of Indigenous Peoples.<sup>17</sup>

### Milestones in Implementing Earth Jurisprudence

Thomas’ notions of the rights of nature required the transformation of the dominant legal philosophy and principles, widening their ethical perspective to include the whole Earth community, of which humans are a part. He often spoke of the need for principles, strategies, and tactics for transformation of individuals, society, and institutions. He and others realized that strategies and tactics leading to the enactment of the rights of nature would be difficult, but contrary to expectations, several significant breakthroughs have occurred. These began the year before Thomas died and have continued since.

In 2008, Ecuador adopted the Rights of Nature into its new constitution. Article 71 reads: “Nature, or *Pachamama*, where life is reproduced and occurs, has the right to integral respect for its existence and for the maintenance and regeneration of its life cycles, structure, functions and evolutionary processes.”<sup>18</sup>

15. Patricia Siemen, “Earth Jurisprudence in a Cosmological Perspective,” in *Living Cosmology: Christian Responses to Journey of the Universe*, ed. Mary Evelyn Tucker and John Grim (Maryknoll: Orbis, 2016).

16. Center for Earth Jurisprudence website, [www.earthjurist.org](http://www.earthjurist.org).

17. There is the rights-responsibilities distinction, under which Indigenous Peoples operate more pursuant to a responsibilities frame, with the rights frame more a modern human concept. See Catherine Iorns Magallanes and Linda Sheehan, “Reframing Rights and Responsibilities to Prioritize Nature,” in *Law and Policy for a New Economy: Sustainable, Just, and Democratic*, ed., Melissa Scanlon (Northampton: Edward Elgar, 2017).

18. Not all of the aspirations have been achieved in Ecuador. See Neema Pathak Broome and Ashish Kothari, “A Green Revolution Runs into Trouble,” *Resurgence* 307 (March/April 2018).



In 2009, the United Nations General Assembly proclaimed April 22 as International Mother Earth Day. In so doing, member states acknowledged that the Earth and its ecosystems are our common home. The same year, the general assembly adopted its first resolution on Harmony with Nature.<sup>19</sup>

On 22 April 2010, the World People's Conference on Climate Change and the Rights of Mother Earth in Cochabamba, Bolivia, approved the Universal Declaration of the Rights of Mother Earth. Over 30,000 people attended, representing more than a hundred nations. The vast majority present were Indigenous Peoples, especially from Latin America.<sup>20</sup> As a follow-up, in September 2010, individuals and organizations from four continents gathered in Patate, Ecuador. Out of this four-day meeting, the Global Alliance for Rights of Nature was formed.<sup>21</sup>

In December 2010, the first Indigenous president of Bolivia, Evo Morales, and Bolivia's Plurinational Legislative Assembly established the Law of the Rights of Mother Earth. The law defines Mother Earth as "a dynamic living system comprising an indivisible community of all living systems and living organisms, interrelated, interdependent, and complementary, which share a common destiny."<sup>22</sup> It calls on all people to "respect, protect and guarantee the rights of Mother Earth," which is considered sacred in the worldview of Indigenous Peoples and nations.

Several other watershed moments have emerged in the Rights of Nature movement. These include the adoption by the International Union of the Conservation of Nature (IUCN) at its 2016 meeting in Hawaii of a resolution calling for no development or extractive industries in Sacred Natural Sites and Territories and the recognition of customary governance systems. The IUCN in 2012 also committed to the Rights of Nature in its Resolution 100 and included action on Rights of Nature in its 2017–2020 work plan.

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19. In subsequent years, Maria Mercedes Sanchez has been a leading force in the UN Harmony with Nature initiative, organizing annual Interactive Dialogues of the General Assembly: <http://www.harmonywithnatureun.org/chronology>.

20. It has also figured prominently in several International Rights of Nature Tribunals, the first of which was held in January 2014 in Quito, Ecuador. This was followed by International Tribunals in Lima, Paris, and Bonn, all held during the COP climate conferences, and Regional Tribunals held in Quito, Ecuador; San Francisco and Antioch, California, United States; and Brisbane, Australia.

21. Global Alliance for the Rights of Nature website, [www.therightsofnature.org](http://www.therightsofnature.org).

22. Bolivian Plurinational Legislative Assembly, "Law of the Rights of Mother Earth," <https://www.worldfuturefund.org/Projects/Indicators/motherearthbolivia.html>.

In New Zealand, the Whanganui River was the first in the world to receive legal personhood through a law passed on 16 March 2017.<sup>23</sup> This was followed on 21 March by court recognition of legal personhood for the Ganges and Yamuna Rivers in northern India.<sup>24</sup> Rights of Nature legal provisions also now exist in Colombia, Mexico, and dozens of municipalities in the United States and are being debated in a number of other nations. Education in Earth Jurisprudence is also emerging.<sup>25</sup> In April 2018, the Colombian Supreme Court ruled that stronger efforts must be made against deforestation in the Amazon, and the country as a whole must be protected from the effects of climate change. In this ruling, the Colombian Amazon is granted personhood and thus is regarded as an entity with rights. This is the first such ruling in Latin America.<sup>26</sup>

Thomas' contribution to this growing movement was his articulation of the principles of Earth Jurisprudence. This has influenced many individuals and organizations working to promote the Rights of Nature both in theory and in practice. Thus, in the areas of law and religion, as well as in other fields, such as education and economics, agriculture, and bioregionalism, Thomas made significant contributions to actualizing the Great Work.

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23. New Zealand's Te Urewera National Park was granted the same legal status in July 2016.

24. The Supreme Court of India later stayed the effect of the ruling pending the outcome of an appeal by the state government of Uttarakhand, which argued that its new responsibilities were unclear.

25. In Africa, a three-year training for Earth Jurisprudence practitioners was initiated by the Gaia Foundation to explore both the philosophy and practice and an endogenous approach to working with Indigenous communities to revive their traditional knowledge, customary laws, and governance systems. The first African Earth Jurisprudence practitioners graduated in July 2017, and a second group has embarked on their training. See <https://theecologist.org/tag/earth-jurisprudence>. This movement catalyzed the passage of a new Resolution from the African Commission, which recognizes sacred natural sites, ancestral lands, and customary governance systems as rooted in Earth Jurisprudence. The strategy is to open spaces in the dominant colonial human-centred legal system in Africa for the recognition of its plurilegal systems, as promoted by the African Charter, which are derived from the laws of nature.

26. Yessenia Funes, "The Colombian Amazon Is Now a 'Person', and You Can Thank Actual People," <https://earth.com/the-colombian-amazon-is-now-a-person-and-you-can-thank-1825059357>.



**Section 5:**  
**Contextual and Victims' Perspectives**





## A Case Study of Human Right Violations during the HKBP Crisis in Indonesia, 1992–1998

Saut Sirait and Andar Parlindungan

### Introduction

In an increasingly civilized, modern, advanced world, outrageous events can occur in the church's environment.<sup>1</sup> Six people lost their lives, thousands of people were injured, and many fled from their hometowns after being terrorized and intimidated for more than a year. Two hundred and twenty people were arrested by the police and the army and were detained without ever going through a legal process. In addition, 16 people were arrested on charges of killing a policeman on a public road in front of the Huria Kristen Batak Protestan (HKBP) Siraituruk, Porsea, North Tapanuli courtyard in Indonesia.<sup>2</sup> All those detained were subjected to violence in the form of severe injuries, broken bones, and mild bruises and swelling.

The author was asked to record the empirical experience from the perspective of the victims of the 1992–1998 events within HKBP. It became an opportunity and a blessing in itself to answer the questions that kept coming up and are unresolved so far.

This chapter is divided into several parts. The first part talks about the intervention of the ruling powers, followed by the failed military coup and then continued with the occurrence of divisions and violations of human rights. The final section closes with critical reflection.

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1. This chapter is an eyewitness report from Rev. Saut Sirait and UEM Reflection by Dr Andar Parlindungan.

2. See Moxa Nadeak, Saut Manurung, Sabar Situmeang, Gomar Gultom, Robinson Butarbutar, Mori Sihombing, and Saut Sirait (coordinator), KRISIS HKBP Ujian Bagi Iman dan Pengamalan Pancasila (Biro Informasi HKBP, 1995); and Gomar Gultom, Saut Sirait, Asmara Nababan, Sumurung Samosir, Keyakinan Dalam Pencobaan (Jakarta: Pustaka Sopo Metmet, 1993). These books are the main references in this chapter.

## Intervention of Rulers

In 1987, Rev. Dr Soritua A. E. Nababan was elected as ephorus or bishop in the hope that the HKBP's function and responsibility would return to being light and salt for the world. One of the things that Ephorus Nababan prioritized was the development of faith that is connected to and has an impact on the reality of people's daily lives, especially in overcoming poverty, both spiritual and material. Education and training for awareness and strengthening of the people with regards to agriculture, animal husbandry, the environment, law, and human rights according to the Bible played an important role.

The energetic and dynamic coaching and training programs received an enthusiastic response from the community. Collaborations were held with other religious organizations in Indonesia, especially Nahdatul Ulama, which at that time was led by Gus Dur (Abdurrahman Wahid), non-governmental organizations such as the Community Initiative Development Study Group (KSPPM), and student networks. The people were beginning to dare to voice their aspirations and demands to the government, including regarding one of the largest companies in North Sumatra, PT Inti Indorayon Utama (PT IIU),<sup>3</sup> a pulp mill which was heavily polluting the environment.

In the 1990s, the government tried to strongly curtail all the organizations and interest groups that showed a critical attitude toward it, by all means possible. The main instrument was the Armed Forces of the Republic of Indonesia (ABRI),<sup>4</sup> using their so-called dual functions.<sup>5</sup> The structure of ABRI in Indonesia fits perfectly with Morris Janowitz' theory regarding military supremacy in developing countries: (1) Authoritarian-personal type of civil-military control. (2) Authoritarian mass party control. (3) Democratic-competitive control. (4) Civil military coalition. (5) Military oligarchy.<sup>6</sup> Military dominance over civilian supremacy was very high. To show that Indonesia was a democratic country, President Suharto held elections in

3. PT IIU was the largest company in Tapanuli that processed wood into pulp and rayon. The company was involved in widespread deforestation, including of the community's customary forests. Wood processing has a strong stench, causing severe dizziness. The smell can affect tens of square kilometres of the surrounding area.

4. The Indonesian joint armed forces at the time, ABRI (Angkatan Bersenjata Republik Indonesia), consisted of land, air, sea, and police forces.

5. "Dwi-fungsi ABRI," or ABRI's "Dual Functions," meant that ABRI was not only in charge of defence affairs, but also all life aspects of the community.

6. Morris Janowitz, *Military in the Politics Development of New Nations* (Chicago: University of Chicago Press, 1964), 3–15.

which the winner was already set, namely the Golongan Karya (Golkar, Party of Functional Groups)<sup>7</sup> and two other parties mere complements, namely the United Development Party (PPP, Partai Persatuan Pembangunan) and the Partai Demokrasi Indonesia (PDI, Indonesian Democratic Party).

Although HKBP was not affiliated with any political party, HKBP programs also had implications for political realities. In the June 1992 elections, PDI won a significant number of votes as well as seven seats in the North Tapanuli local Parliament, which had previously been vacant. Even though Golkar won the election, losing the seven seats was a slap in the face for the authorities, especially Batak state officials, businessmen, and Golkar officials, in particular those who were HKBP members.

The 1990 HKBP Youth Conference in Sipirok became the starting point for the destruction of the HKBP. The conference had already commenced when it was stopped and dissolved by the police for unclear reasons. The dismantling continued with the dissolution of the Great Synod in the same year in Pematangsiantar. The authorities tried to remove Rev. S. A. E. Nababan from HKBP leadership, starting with efforts to delegitimize him.

The government then formed a Peace Team which was directly led by General (ret) Maraden Panggabean, at that time the chairman of the Supreme Advisory Council (DPA and a former Minister of Defense, concurrently commander of the Armed Forces) of the Republic of Indonesia. Indonesian constitutional law was bypassed in the formation of the Peace Team.<sup>8</sup> In a meeting with government officials, ABRI, pastors, and members of the HKBP in Sipoholon, North Tapanuli, the head of the Peace Team said: "Nababan must be finished!"

## **The Failed Military Coup Attempt at the Great Synod**

The authorities gave permission to conduct the Great Synod at the Sipoholon Seminarium, North Tapanuli, on 23-28 November 1992. Just before the opening ceremony, as many as 400 soldiers wearing helmets clad in leaves and assault weapons with bayonets surrounded the Sipoholon Seminarium building. The commander of the Kawal Samudera Military

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7. At the time, Golkar was not a political party in the traditional sense but had participated in general elections and had been the winner since Suharto came to power in 1967.

8. In the Indonesian constitution, the DPA has a position equal to the president. The legal basis for the formation of the Peace Team came from a memo of the Minister of Religion, number MA/132/1990, 6 September 1990, to the chairperson of the DPA. This should not have happened, as the position of the Minister of Religion is under the chair of the DPA.



Resort, Army, Colonel Daniel Toding, used one room to establish a tactical command post (*Kotis*)<sup>9</sup> at the location of the Great Synod meeting. They took over the duties and functions of the organizing committee.

The atmosphere of the Great Synod became disorderly, and some of the participants who had been “worked on” by the military were disruptive. Military personnel entered the conference room freely and signalled to certain participants to continue talking loudly and interrupt the proceedings. Toward the end of the session’s permit deadline, Ephorus Nababan ended the meeting and asked the committee to prepare for the closing session and the evening worship service. After coordinating, Ephorus left the conference room and headed for the official residence to prepare for the closing ceremony.<sup>10</sup> After Ephorus left, the secretary general of the HKBP, Pdt. OPT. Simorangkir, and the military resort commander (Danrem), Colonel Daniel Toding, took over the leadership of the meeting. Soldiers with bayonet blades mounted on their weapons forced participants to enter and closed all the doors. Danrem Daniel Toding ordered Pdt. OPT Simorangkir to read out a decision on the formation of a leadership caretaker (something previously unknown in HKBP). The majority of the participants were very surprised to see the takeover attempt of the leadership of the Great Synod. They demanded that the statement be revoked and expected to be shot if it were not revoked.

These actions of the military commander were a first in the history of the churches in Indonesia and perhaps in the world. From the facts and events that occurred, this action was an attempted constitutional coup carried out by the military against the church leadership for the purpose of placing a pastor who submitted to them as the Ephorus of HKBP.

After failing to carry out the constitutional coup, the military used its power in a blatant fashion. On 23 December 1992, the commander of the Regional Military Command (Pangdam) I/Bukit Barisan, which operated in the northern part of Sumatra, in his capacity as head of the Coordinating Agency for Assistance for Regional National Stability Stabilization (Bakorstanasda), issued a Decree, No. Skep/3/Stada/XII/1992, appointing Rev. Dr. Sountilon Siahaan as the official Ephorus HKBP. Based on the decree of the military, Rev. Sountilon invited and held a Special Great Synod

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9. The fact that there was a strategic command room and troops wearing combat uniforms and equipment indicates that the military viewed this operation as an act of warfare.

10. During the Great Synod of 1992, I served in three areas: as recorder of minutes, member of the organizing committee, and member of the security committee, and so witnessed the proceedings first-hand.

on 11-13 February 1993 at the Tiara Hotel in Medan. Ephorus Pdt. Soritua Nababan and most of the participants of the 1992 Synod were not included. After this synod, the HKBP was de facto split into two factions, and each declared itself legitimate. Those who oppose the government intervention call themselves HKBP SSA (Setia Sampai Akhir, meaning “Faithful to the End”), and those who accepted the government intervention call themselves “SAI Tiara” (Sinode Agung Istimewa Tiara, after the name of the conference venue of the special synod).

## **Division and Human Rights Violations**

After the appointment of Rev. S. M. Siahaan as the acting Ephorus by the military commander of the Northern Sumatra region, covert military operations began to be carried out. Pastors and elders were visited to persuade them to recognize and accept the appointment of Rev. S. M. Siahaan as Ephorus. Threats were issued if they refused, and the military made efforts to divide the congregations and incite the congregants against the pastors and elders who did not submit to the military. All of the pastors who refused the military were forced to flee Northern Sumatra.

The military soon began to follow up on their threats of violence. After many intimidation attempts of congregation members, the military started killing their most vocal opponents. I was present when evidence in the form of shell casings, photographs, and witness reports was handed to the National Human Rights Commission (Komnas HAM). Until today, these cases of killings have not been investigated or resolved.<sup>11</sup>

On Good Friday, 9 March 1993, the military opened fire on a group of congregants on their way to the church service. Several people suffered injuries but survived. Nine vehicles were burned. This open military aggression caused outrage in the community, not just among HKBP members. The military then began to form plainclothes groups called *satgas* by recruiting thugs to carry out operations. With strong support from the military, the *satgas* forcibly entered homes and churches during services. The pastors and congregants who opposed the military started holding services in other locations to avoid the *satgas*. More than 1000 civilians suffered light and heavy injuries from attacks by the *satgas*.

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11. In 2019, HKBP theological seminary in Pematang Siantar invited the head of the national human rights commission (Komnas HAM) to give a public lecture. During that opportunity, I asked about the killings, but no further information has been given to date.

Legal efforts were made by the victims, such as a lawsuit to the State Administrative Court for the decisions of the authorities as well as against acts of violence committed by the army and the *satgas*. However, none of these cases was resolved by the law. The chairman of the Administrative Court of Medan City, Mr. Lintong Oloan Siahaan SH, was immediately terrorized the day after holding the first trial in the case of Ephorus Nababan's lawsuit against the Pangdam I/Bukit Barisan Decree regarding the appointment of Pdt. S. M. Siahaan as Ephorus. His residence was stormed by dozens of masked people who broke windows and put rotten meat in his house. Surprisingly, Lintong Siahaan was then placed on "leave" for an indefinite period of time.

The descriptions above show that the actions taken by the military and their lackeys can definitively be classified as human rights violations. In our opinion and as we know, human rights—which include civil and political rights, such as the right to life, freedom, expression, opinion, religion, worship, and association—are rights that cannot be violated, even in war conditions. There are no requirements regarding human rights other than protecting and fulfilling them. All of these rights were violated by the Indonesian authorities at the time, using the military.

### **Critical Reflection: All Are Victims**

On 5 December 1992, the executive committee of the Godang HKBP Synod was summoned to the Bukit Barisan Military Command/I Headquarters in Medan. After the meeting, the Commander of the Military Intelligence Detachment, Lieutenant Colonel Paris Ginting, pulled me by force and took me to his room, accompanied by two soldiers with the rank of sergeant. I was shouted at, slapped in the face, and hit several times in the chest. This happened because they were angry with the report on the chronology of the trial of the Great Synod that I had made in my capacity as scribe. After being satisfied with venting their anger, they then asked me to write a letter to the commander in chief stating that the chronology of the Great Synod was a lie and at the same time to apologize. They promised to help with my future career if I promised to leave Nababan and help the military. In order to get out as soon as possible, I promised to give them an answer within two weeks. After two weeks, I did not give an answer; a few days later, the North Tapanuli Resort Police issued a summons, with no clear reason or legal basis. I ignored the summons. The following week the same letter came, and I ignored it. Not long after, information from a police

source came out that my name had been included in the list of wanted people (Daftar Pencarian Orang, DPO).<sup>12</sup>

A joint police and army operation was carried out to arrest me. Unfortunately, two elderly pastors, Rev. Nelson Siregar and Rev. Ramlan Hutahaean, as well as a young pastor, Samuel Sitompul, were taken from Rev. Hutahaean's house on 12 May 1994. They were detained at the Tarutung Military District Command headquarters, then transferred to the Tarutung Police Station. For a month they were missing, with the family and staff of the HKBP not knowing their whereabouts and condition. We then received news that they had been admitted to Police Mobile Brigade (Brimob) Hospital in Medan.

Samuel Sitompul (now the superintendent of the Lampung church circuit) was badly hurt. His jaw was dislocated from the many beatings by the soldiers. He said that the military thought he was me (Saut Sirait). When he said he was not, they became furious and beat him even more. It is unclear whether they thought he was lying or whether they were frustrated because they caught the wrong person.<sup>13</sup> Although I was terrified, I chose not to leave North Tapanuli and continued to spread awareness about the decisions made by the authorities about the leadership of HKBP being unconstitutional and unbiblical.

As mentioned before, two months later, on 9 March 1993, I led a group of approximately 2000 people, 90 percent of whom were women and young people from Tarutung to Narumonda, to the Good Friday service. On the main road near the village of Sitolu Ama, we were accosted by a combination of the army, police, and the *satgas*. Through the loudspeaker came the command to stop and disperse. The name Rev. Saut Sirait was also called out to be captured and killed. I spontaneously moved forward and was immediately attacked by several soldiers. Many youths protected me. Feeling outnumbered, the soldiers then started shooting, and several of the young men who were fighting with me were hit in the thigh and calf. Nine cars

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12. At that time, I was the youth director of HKBP and concurrently an assistant to Ephorus. I formed a new semi-autonomous HKBP Youth structure, starting from the Center District, Resort and Congregation. The head of the Silindung District HKBP Youth was a member of the police in Tarutung, and so accurate information could be obtained.

13. With a lawyer from the Medan Legal Aid Institute and some relatives, I organized their pick-up from the military hospital to transfer them to the Communion of Churches in Indonesia Hospital (RS-PGI), Cikini, Jakarta. It was there that I interviewed them to make a report on their detainment and torture.

were burned, and the group became scattered to save themselves from being chased. The youths and I held on to prevent the soldiers from pursuing them. After the group was able to safely return home, I hid in a ditch and was only able to get out at 2:00 in the morning. I no longer feared for my life after this traumatizing event.

There are so many victims who can no longer talk about the violence of the army. My own mother, a widow, illiterate, 70 years old at the time, was stabbed with a bayonet by the soldiers. Her thick brassiere prevented the blade from penetrating her body, but her entire chest and shoulders were bruised heavily. All she wanted was to go to church on Good Friday.

I visited Herbert Hutasoit's family who have a daughter, a high school student. Initially, her dream was to become an HKBP pastor, but the incident that happened to her father caused immense pain to her soul, making her very ill. Mr. Hutasoit was the first victim who was tortured and murdered by the army. He was kidnapped late at night. The next morning, his dead body was found in the bushes. His whole body was pierced by bullets, his eyes were gouged out, and his genitals were cut off. In our accusation to the Indonesia Human Rights Commission in 1993, the eyewitnesses reported that he was kidnapped by some people wearing military clothing, and they had heard frequent gunfire. Mr Marpaung, who was over 70 years old, was killed, and his body was placed under a small bridge in front of the HKBP Narumonda church. At the close of the traditional event of his burial, his eldest son, who represented the family, submitted a complaint in front the entire audience to jointly find the perpetrators. According to Batak customary law, all those present are bound to jointly fulfil the request. That is, a grudge that will not disappear before the perpetrator of the murder is found and brought to justice.

The trauma of the victims' families remains. The dead no longer have feelings. Victims who are still alive have a constant feeling of anger in their lives and try to find a way to reconcile the feelings of their wounded soul. The families of the victims who died continue to be haunted by questions: Why were our loved ones taken from us? Why has nobody been brought to justice?

Although the Republic of Indonesia has undergone reform of its political system for a long time, it has never looked at solving human rights violations that have occurred. Almost all previous human rights violations, not only those experienced by the HKBP members, are not dealt with. This includes the 30 September 1965 events (G30S/Suharto/PKI) and the shootings of

people by military officers in Lampung and Tanjung Priok in the 1980s. Everything is kept quiet. It is as if it never happened.

After the Joint Synod was completed to unite the HKBP, efforts to carry out joint worship services with both parties to channel broken emotions were discussed several times. But so far, this has never been implemented.

In my opinion, in this case, all HKBP servants and people are victims of an authoritarian regime of power. President Suharto was a constitutional dictator by engineering the legal and political system. The SSA faction became a direct victim, and the SAI Tiara faction became an indirect victim. Only the treatment of the authorities toward the two sides distinguishes them. The hegemony of the ruler over the SAI Tiara is carried out by providing support and facilitation for the purposes of the ruler himself. The SAI Tiara party accepted the hegemony of the ruler voluntarily. The hegemony of the SSA is done in a different way, carrying out subjugation through acts of violence, for the purposes of the ruler as well.

## **Going Forward**

In this event, international support and solidarity poured in. The United Evangelical Mission (UEM)—which is closely connected historically to the evangelism movement in the Batak lands—opposed the harassment carried out by the government and the church. Rev. Dr Jochen Motte, head of the department of Justice, Peace, and Integrity of Creation at the UEM called upon the entire global Christian community to offer intercession to the wounded HKBP as part of the body of Christ (1 Tim. 2:1), and they were called to be together in suffering (1 Cor. 12:26). The HKBP crisis opened the world's eyes to the fact that human rights violations and the arbitrariness of the authorities must be faced together theologically and ecclesiologically. The UEM urged the church community in Germany to show their solidarity by writing to the Indonesian government or the German government. The UEM also expressed its solidarity with HKBP, in particular to victims of human rights violence, while voicing that reconciliation can be realized only by ending acts of violence and ending external intervention for independent church authorities.

Rev. Dr Robinson Butarbutar (currently ephorus of HKBP) intensively distributed news about the conflict to the international community, especially to the UEM. For Butarbutar, unity and reconciliation could be realized only if justice for all victims of human rights violations was restored; the church was no longer interfered with by external forces, specifically by

the New Order regime; and all forms of violence perpetrated by the military ceased. Only with justice and the independence of the church can the fruit of evangelism and freedom for the church be realized.

Statements and concerns for both the HKBP under the leadership of PWT Simanjuntak and the Indonesian government were issued by various international ecumenical institutions, such as the World Council of Churches, the Communion of Churches in Indonesia (PGI), the Westphalian Church (EKvW), and the Rhineland church (EKiR). Reiner Groth, director of the UEM, also sent a letter to the German chancellor at that time to explain the problems that occurred in the HKBP, in particular the intervention and military atrocities that did not heed the principles of human rights against the HKBP led by Dr. Soritua Nababan.<sup>14</sup>

The attacks on the World Trade Center and the Pentagon in the United States on 11 September 2001 changed the face of the world. An attitude that I think is very evangelical is raised with a big theme: “Forgive but don’t forget.” For this reason, the National September 11 Memorial & Museum was immediately scheduled to open on 11 September 2011. Near this memorial is the 1776 ft (541 m) One World Trade Center, which was completed in 2013. The Pentagon was repaired, and the Pentagon Memorial opened next to the building in 2008. Land acquisition for the Flight 93 National Memorial was carried out in November 2009, and the memorial was officially opened on 10 September 2011. Not only are ceremonies and commemorations are carried out by citizens and the United States government, but a physical memorial exists to remember these horrific events and the victims of this terrorist attack. Everyone is educated not to be trapped in a “culture of forgetting” for themselves, their fellow humans, and their nation; at the same time, the world is invited to remember.

“Lest we forget” is the maxim of the victims of cruelty and terror who erect memorial monuments. Not because the victim is a hero, or a person of merit, fame, or inspiration, but because they are fellow human beings who are victims. The message is very clear: these things must never happen again. Forgiveness is a concept known all over the world without a dogmatic siege

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14. Jochen Motte, Thomas Sandner, and Peter Demberger, eds, *Kirche in der Krise: Texte zur gegenwärtigen Auseinandersetzung um die Christlich-protestantische Toba-Batak-Kirche (HKBP) in Indonesien (1-1993) (2-1995)* (Wuppertal: Vereinte Evangelische Mission)

or claim to a particular religious message. It is not a religious teaching but an approach that deeply heals the inner wounds of the survivors and the families of victims.

In my opinion, the lack of efforts within HKBP to forgive but also to remember past events is not a result of cultural differences or different perspectives. To enjoy a better future, one must be aware of the past. Even though the number of victims is far smaller than that of the September 11 attacks, the nature of suffering, death, cruelty, and humanity is the same in all space, time, and situations.

In the Batak cultural tradition, efforts to restore the spirit and health of victims of ordinary accidents are still being carried out, called the *mangupaupa* event. Institutionally, it is time for HKBP to carry out such a recovery. Not to bring up old wounds but to carry out the noble tradition of “forgiving and remembering.”





## Human Rights Violations in Belarus: How to Forgive, but Not Forget

### Christian Vision of Belarus

“No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment,” the Universal Declaration of Human Rights states in Article 5. No one could have expected that, in the calm country of Belarus, peaceful protests in 2020 would be faced with such violence. However, the atmosphere of terror and suffering still dominates the European country of Belarus, with the deaths of dozens innocent people, more than a thousand political prisoners, and almost 50,000 detained, searched, arrested citizens during the political crisis. Political prisoners often undergo secret trials which deprive them of their right to a fair trial: sentences for participation in peaceful demonstrations and expressing one’s opinion are disproportionately ruthless. Conditions of detention of political prisoners in both administrative and criminal cases are degrading. Violence and torture become a daily routine. Access to health care is limited. Those who are persecuted simply for expressing their opinion and indignation at tyranny, violence, and lawlessness in Belarus are subjected to grave restrictions in exercising fundamental human rights and freedoms, including the right to freedom of religion and belief.

In this chapter, four stories of four Christians will be told—three of them in the third person. Two protagonists—Orthodox Raman Bandarenka and Roman Catholic Vitold Ashurok—were tortured to death, one in the yard of his own house and the second in a prison. Another Roman Catholic, the mother of five children, Volha Zalatar, is serving her term of four years in prison. A father of seven children, Evangelical preacher Sergiy Melianets, survived torture and is free, so he will give his own testimony in the first person.

On 9 August 2020, after the presidential elections, Aliaksandar Lukashenko, who has been the president of the Republic of Belarus since 1994, claimed to win again, with more than 80 percent of the vote. The atmosphere in which the presidential campaign was run was marked by arrests, intimidation, and threats against alternative candidates, political activists, and journalists.

At the same time, in Belarusian society, which previously was fragmented and politically rather passive, surprisingly, initiatives of solidarity started to grow drastically and spontaneously, which nourished a genuine democratic movement. Never before had the democratic movement had so many hopes to overturn the authoritarian regime.

Sviatlana Tsikhanouskaya, an ordinary woman who has never participated in politics, was accidentally registered as a candidate for the presidency and became a democratic leader of Belarus. She described the foretaste for a future fraternal community of solidarity in “Fraternal Society: A Vision for a New Belarus,” her letter to the Holy Father Pope Francis as a response to his encyclical *Fratelli Tutti*:

We also look to the future and dream of the future, but our vision of the new Belarus is a vision of a fraternal community of solidarity and mutual assistance, which we have experienced ourselves and continue to experience now, and which feeds our hopes for the future.

Despite all the repression and violence, the protest continues to be peaceful; moreover, the spirit of mutual help and solidarity grows in it, as leaven in the dough. Our eyes have already seen, our ears have already heard, our hands have already touched, our mouths have already had a foretaste of the society that Belarus could be. We know what we want and what we aspire to—a new brotherly, united, inclusive Belarus, one that already exists in city quarters in which neighbours did not know each other yesterday and today gather to drink tea, treat each other with cake, sing and dance together.<sup>1</sup>

### **Raman Bandarenka: “I am going out!”**

One of the examples of such a neighbourhood was the so-called Square of Changes in Minsk, a courtyard where unknown artists painted a mural on the wall of a ventilation booth, depicting two sound engineers who became symbolic figures on 6 August 2020, on the eve of the elections, when they played the song “Peremen!” (“Changes!”) at the official pro-Lukashenko event. Due to its rhetoric demanding change, this song by the Soviet musician Viktor Tsoi became one of the unofficial anthems of the democratic movement in 2020. Kirill Galanov and Vladislav Sokolovsky raised their hands with white ribbons and with signs of the democratic movement while the song was on,

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1. Sviatlana Tsikhanouskaya’s letter to the Holy Father Francis, Bishop and Pope of Rome, inspired by his encyclical *Fratelli Tutti*, “Fraternal Society: A Vision for a New Belarus”, 4 November 2020, <https://tsikhanouskaya.org/en/events/news/f46df99254de4dd.html>.

making them symbolic figures of the protest. The mural became known and attractive to the supporters of democratic change. Many people went to the mural to take a selfie. The locals regularly hold musical concerts, lectures, and workshops at the courtyard and decorated the space with national symbols. Since mid-August 2020, the authorities have waged a war against this mural, removing it repeatedly. Local residents recreated it every time after the state-induced vandalism.

One of the locals was a young artist, Raman Bandarenka, whose college diploma work was a fresco in the canteen of the Orthodox national shrine at the Dormition monastery in Žyrovičy (Hrodna region). This Orthodox Christian is believed to be one of the painters of the mural.

On the evening of 11 November 2020, unknown people in masks came to the yard to remove the white-red-white ribbons which decorated it. Locals wrote in the neighbourhood chat about this and called someone to speak to the unknown vandals. The 31-year-old Raman Bandarenka replied, “I am going out!” A few minutes later, he was outside arguing with the unknown people, two of whom were later identified as the kickboxer Dmitry Shakuta and the president of the Belarusian Ice Hockey Association, Dzmitry Baskau, both of whom were close to the regime of Lukašenka. One of them aggressively pushed Raman so hard that he fell and hit his head on a children’s slide, while two other unknown individuals continued beating Bandarenka, then carried him by the arms and legs into a police minibus and left.

Bandarenka was admitted to intensive care and was diagnosed with a severe closed traumatic brain injury. He was in a coma and underwent surgery, then died the next evening.

The state propaganda invested heavily in discrediting Raman by alleging that he was intoxicated on the night of his death. The government attempted to silence a medical doctor, Artiom Sarokin, who told journalist Katsiaryna Barysievich from TUT.BY media that there was 0.00 percent alcohol in Bandarenka’s blood. Sarokin and Barysievich were both arrested and taken into custody and then sentenced to a prison term.

Many people around Belarus were shocked by the murder of Raman and began to get together spontaneously on the Square of Changes to lay flowers and light candles. Thousands came to his memorial in the Orthodox church of the Resurrection, and all over Belarus people lighted candles near Orthodox and Catholic churches. Memorial services were held and bells rang in memory of Raman. The youth band of the Evangelical Christian Minsk

Church, Grace, composed a song in memory of the young painter: “Go Out to the Courtyard.”

The regime struggled against keeping the memory of Raman alive. In the Square of Changes, the police destroyed the people’s memorial of candles and icons at the site of Bandarenka’s murder. The government attempted to silence two journalists, Katsiaryna Andreeva (Bakhvalava) and Darja Chultsova, who streamed live online from a window as police vandalized the people’s memorial. These journalists were sentenced to two years in prison. The government has also tried to silence Roman Catholic bishop Yuri Kasabutski and the press secretary of the Belarusian Orthodox Church, Archpriest Sergiy Lepin, for expressing their indignation with this act of vandalism in their Facebook posts. Both were called to the prosecutor’s office and issued with a warning for extremism.

Christians were and are still being persecuted for keeping the memory of Raman Bandarenka alive. A Catholic believer, Ala Rashchynskaya, was arrested on 13 November 2020 and detained for 10 days after she came to Merciful Jesus Cathedral in Viciebsk to light a grave lamp and joined a chain of people commemorating Bandarenka. Another Christian activist and member of the Christian Vision Working Group, Maksim Kavaleu, a Roman Catholic, was sentenced to 15 days of arrest. He was detained on 15 November 2020 in Minsk when he went to the Square of Changes to express his grief, light a commemorative lamp, and pray for Raman.

One year later, on 6 December 2021, an Orthodox believer, the musician Natalya Kopytko, was sentenced for five days for displaying a memorial candle—a sign of prayer and grief—in the window of her apartment on the anniversary of Raman Bandarenka’s death on 12 November 2020. On that day, law enforcement officers walked around the city and photographed all the windows with lit candles.

Not only individuals but also parishes have experienced pressure due to memorial services for Raman. In Mahilioŭ on 13 November 2020, riot police obstructed a public prayer in his memory at the entrance to a courtyard of the Three Holy Hierarchs Orthodox Cathedral. In Homiel, the Roman Catholic parish of the Nativity of the Mother of God received a warning from the main department on ideological work, culture and youth on 18 November 2020 because a memorial with candles and icons was set up for Raman Bandarenka.

## **Vitold Ashurak: “I Have Always Believed that Belarusians Have Big Hearts!”**

On 20 May 2021, Over Ashurak, a 50-year-old believer and activist from the local community of Lida, died while serving a five-year term in the penal colony in Šklouŭ Vitold Ashurak, to which he was sentenced on 18 January 2021 by the Lida District judge, Maksim Filato.<sup>2</sup> He had been sentenced to imprisonment under two articles of the Criminal Code of the Republic of Belarus: 342 part 1 (“Organization and preparation of the actions grossly violating public order, or active participating in them”) and 364 (“Violence or threat of violence against a police officer”). The trial was held behind closed doors at the initiative of the judge due to an alleged threat to state security. Ashurak was recognized as a political prisoner.

Ashurak was an active Roman Catholic believer and had actively participated in a local prayer group, which had publicly prayed the rosary since August 2020. He joined the Pompeian Novena, a traditional prayer practice using the rosary and lasting for 54 days. In the city of Lida, the novena was initiated by Irena Bernatskaya on 12 August 2020. Bernatskaya herself was under politically motivated arrest for several months in the spring of 2021 before she was forcibly deported to Poland. The prayer was held outdoors in front of the Farny Church of the Exaltation of the Holy Cross. After Archbishop Tadeusz Kondrusiewicz of the Roman Catholic Church in Belarus was prevented from re-entering the Republic of Belarus on 31 August, requests for his return were added to the novena. It was after this prayer that he was detained for the first time in August 2020 with a rosary in his hand.

After the death of Vitold Ashurak, his family and hundreds of people mourned his wounded body and his death. During the funeral in Ashurak’s hometown of Biarozaŭka, his parish priest, Fr Andrej Radzievich, gave witness to the dignified life of Vitold Ashurak. He described him as a person of light who enlightened the whole community and country. Indeed, he was a local environmental activist passionate about protecting God’s creation. He was a member of the Catholic faithful who was strongly committed to justice and peace.

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2. “Body of Jailed Belarusian Activist Reportedly Returned with Bandaged Head, but Family Silent,” RFE/RL’s Belarus Service, <https://www.rferl.org/a/belarus-political-prisoner-dead-bandaged-head/31273419.html>.

In memory of him, the Belarusian Greek Catholic community in Antwerp, Belgium, where many Belarusian political refugees live, has installed in their church a memorial cross dedicated to hero and martyr Vitold Ashurak and all victims of the regime from 1994 to 2021. His memory is also alive in his Catholic community in Białożytko.

## **Volha Zalatar: “I Am Here Because I Live by God's Commandments”**

Volha Zalatar, a sociologist, mother of five children, and local activist organized neighbourhood parties in their courtyard with tea and cakes. She was also an active member of the Roman Catholic parish of Mother of God, Protectress of Families, in district Ždanovičy in Minsk. On 18 March 2021 she was arrested and taken into custody for the alleged creation of an extremist group (part 1 of Article 361-1 of the Criminal Code), as well as parts 1 and 2 of Article 342 of the Criminal Code (organization and preparation of actions grossly violating public order, or active participation in them, as well as training in such actions) and part 1 of Article 16 (complicity in such actions).

Seventy Catholic priests from Belarus submitted written petitions to the investigative committee asking to end Zalatar's criminal prosecution. Two priests, including Zalatar's parish priest, Fr Alexandr Famianych, had submitted sureties for changing the measure of her restraint.

Zalatar was subjected to violence and torture during interrogations. She was beaten on the neck and head, choked, pressed to the floor, and beaten with truncheons. However, she pleaded not guilty on all counts. Her lawyer, Andrey Machalau, testified that he had personally witnessed the signs of torture on the woman's body: bruises on arms, neck, and buttocks. The lawyer tried to launch a criminal case, but the investigative committee refused to initiate a criminal investigation of abuse of office by the GUBOPiK employees due to the absence of a crime. According to the investigative committee, “Zalatar's claims about bodily harm inflicted to her do not correspond to reality since it was inflicted before her detention.” Instead, following the allegation of torture, the lawyer's license was annulled.

Being detained since March, Zalatar requested pastoral visits by a priest on several occasions. All requests have been rejected. Only on 2 June 2021 did the apostolic nuncio in Belarus, Archbishop Ante Jozic, make a pastoral visit to Zalatar in the pre-trial detention centre.

On 3 December 2021, Minsk City Court (judge Anastasiya Papko) found Zalatar guilty and sentenced her to four years in a general regime prison. The day before, Volha Zalatar made her final speech, in which she stated that all her words and actions were motivated by nothing but her beliefs, the desire to follow the commandments of God and make the world like the kingdom of heaven: “All my actions and statements are determined by love towards people and by hatred—towards lies and violence.”<sup>3</sup> She expressed her credo with the following words: “The case file contains a photograph with a poster that reads ‘Peace, love, freedom.’ I subscribe to every one of its words. I want peace for my country. I want love for God and people to reign in my country. I want everyone to have freedom of choice.”

### **Sergiy Melianets: “I Believe that Nonviolence Can Change the Course of History”**

“Electric trauma—the result of electric shock impact” is stated in the medical documents of Sergiy Melianets, a 40-year-old Evangelical believer and father of seven children. His shock on the evening of 10 August 2020 was not only electric; it was also shock from the level of violence one human being can apply to another, receiving pleasure from beating, torturing, and humiliating.

That evening, Sergiy and his two brothers, Mikalai and Aliaksei, went to the centre of the city to pray for Belarus. They were sitting inside their car near Minsk Performance Hall, ready to pray. Suddenly, two dozen SWAT officers in black charged toward them. The brothers were grabbed by the arms and head and pulled out to get on their knees.

One officer was yelling, “Who’s the organizer? What were you doing [at] this demonstration?”

“We are here just to pray!”—I told them the truth. They repeated the question: “What is your purpose here?!” I kept saying, that we just wanted to pray. In a moment I felt an electric current running through my body—it was a taser. I was stabbed: first, in my legs a couple times, then in my arm, after I was hit from the back in the heart area. My answer “We are here just to pray!” was the wrong one. And a “wrong” answer resulted in a taser shot, which was very painful.<sup>4</sup>

3. “Volha Zalatar’s Final Speech in Court,” 2 December 2021, <https://belarus2020.churchby.info/volha-zalatars-final-speech-in-court>.

4. “I remember the words of one riot police officer vividly: ‘I would burn all of you alive if I had a chance!’” <https://august2020.info/en/detail-page/161>.



They brought the brothers to a huge truck, with more detained people, and stood them against it. They tied their hand behind their back and had them stoop 90 degrees down and forward, using batons to spread the legs widely apart.

The words of one SWAT officer are still in my ears: “I would burn all of you alive if I had a chance!” Those are the words I cannot forget: “I would burn you all alive if I only had a chance or an order.” I prayed. And I believed that if God allowed me to be in such a situation, it must be for a reason.

Since childhood, Sergiy has had heart issues, specifically a mitral valve prolapse. At some point, when he was standing against the wall, he felt he was about to run out of oxygen. His heart started aching; he began gasping for air and was passing out. The officers, afraid that Sergiy could die on the spot, brought a doctor over.

After consultation the medics decided that I was being close to a heart attack. Tachycardia, panic attack, heart pain, cramps, low blood oxygen level. But the SWAT officers didn’t want to let me go. At the end, the doctor said: “If he dies right here, right now, what are you going to do?”

Finally, the ambulance was called, and he was brought to a hospital. The hospital was full of other injured people—all kinds of injuries and fractures.

One man had fist-size pieces of flesh torn out where rubber bullets had hit him. Another man was badly beaten while returning from work; he was covered in blood. A third guy was hit in the nose so hard that they couldn’t stop the bleeding. The fourth had his arm broken. The fifth had his arm dislocated when he was dragged into a police van. The sixth was covered in police stick marks, with a bruised eye and a damaged leg.

The doctor said that Sergiy’s condition had stabilized, that there were no places in the hospital and Sergiy should go home. He later found his brothers in Žodzina detention centre. Some months after, he was charged with a fine because of the blinds in his bedroom, which he had made white-red-white. He was also threatened with receiving a status for his family as “in a socially dangerous position,” by which he would have risked his children being taken out of the family.

## Conclusion

Sergiy's story didn't become a tragedy, as happened to another protestor from Homiel, Aliaksandar Vikhor, age 25. He had heart issues, was detained 9 August 2020, and was beaten. Those who were in the police van and at the police station with him said he was pleading for medical help but instead was receiving more and more hits. His ribs and sternum were broken. He went into a coma and died on 12 August.

Sergiy told witnesses that when the police officers heard his answers about prayer, they humiliated him. According to Christian Vision's monitoring,<sup>5</sup> the police often behaved particularly violently toward believers or people perceived to be believers.

For example, Vitaly Shatalau, a Roman Catholic, was detained and severely beaten in Mahilioŭ. Shatalau had multiple religious tattoos on his body, including a crucifix on his back and an image of St John Paul II on his inner elbow. The police officers asked him if he was a believer, and Shatalau gave an affirmative answer. The police then beat him so severely that Shatalau had to be hospitalized.

Another example is Andrei Shklenda, a musical instrument master from Pinsk. He was badly beaten at the Pinsk city department of Internal Affairs on 10 August 2020. Due to his appearance—a beard, long hair, and the fact that when he was beaten, he cried out, "Lord, save me!"—the police officers assumed Shklenda was a clergyman. They humiliated him based on his assumed priesthood and treated him cruelly.

Despite all this, Christians still believe in forgiveness. As Volha Zalatar said in her final words at her trial:

We are all children of God. Each of us has the capacity to make this world like the Kingdom of God where love reigns. Hatred, lies, envy, revenge and fear have no place in the Kingdom of God.

My heart is torn to pieces as the degree of hatred is growing, the amount of pain and resentment is escalating. What is needed is repentance and mutual forgiveness. This is the only way to stop the socio-political crisis in the country.<sup>6</sup>

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5. "A Monitoring of the Persecution in Belarus of People on Religious Grounds during the Political Crisis" (n.d.), <https://belarus2020.churchby.info/monitoring>.

6. Volha Zalatar's Final Speech in Court, 2 December 2021, <https://belarus2020.churchby.info/volha-zalatars-final-speech-in-court>.

In spite of everything, Christians still believe in nonviolence. As Sergiy Melianets says:

Still, I decided not to bear offence in my heart, I can say I forgive them. Yes, I want that they face trial and carry the punishment. But inside my heart I do not hold a grunge. I agree that we became an example for the world of a possible peaceful settlement of the situation. I believe that nonviolence can change the course of history. We fought against the evil with the weapon of good.<sup>1</sup>

But nonviolence and forgiveness alone cannot put an end to torture and suffering, stop bloodshed, heal the wounds, wipe away tears, set the imprisoned free, and bring those in exile home. Only the restoration of justice and of a proper rule of law, respect for human rights, and rehabilitation of the persecuted, naming evil by its name, will pave the way to lasting peace with justice and visibly imply that the suffering of innocent people was not in vain.

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1. "I remember the words of one riot police officer vividly."

## Churches in Solidarity with Victims of Human Rights Violations in the Philippines

Ruel Marigza

As a church worker, it is difficult to carry out the mission of the Church. When I say, ‘Peace be with you’ to the congregation, I ask myself ‘Am I at peace?’ It has been seven years since my brother was killed and still we don’t see justice . . . Today, I regain hope as my colleagues in the Church exert efforts so that justice and truth will be attained.<sup>2</sup>

These were the remarks of Rev. Elsie Plotado, sister of the slain Joel Baclao, when the United Church of Christ in the Philippines (UCCP) filed a civil case against the former president of the Republic of the Philippines, Gloria Macapagal-Arroyo, on 16 June 2011. With more than 18 of its members killed, 1 disappeared, 2 ambushed and wounded, and 4 arrested, detained, and tortured,<sup>3</sup> the Church could not remain silent.<sup>4</sup>

This is but one church. The pastors, priests, other church workers, and lay leaders of several others have become victims for standing to uphold the human rights of those whose rights are violated. A publication of the National Council of Churches in the Philippines (NCCP) entitled *Churches as Human Rights Defenders: A Module on Human Rights* listed the names of victims of human rights violations among church people: 33 church people killed, 5 church people tortured and illegally detained, 1 enforced disappearance, 3 filed with fabricated cases, 1 frustrated killing, and 3 as victims of harassment and vilification.<sup>5</sup>

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2. See Ronalyn V. Olea, “Protestant Church Sues Arroyo for Killings, Human Rights Abuses,” *Bulatlat.com* (Journalism for the People), 17 June 2011, <https://www.bulatlat.com/2011/06/17/protestant-church-sues-arroyo-for-killings-human-rights-abuses>

3. Olea, “Protestant Church Sues.”

4. The case was eventually dismissed due to insufficiency of evidence, as adjudged by the Court. The case, though, highlighted that those human rights advocates were targeted. The absence or insufficiency of evidence in a culture of impunity does not negate the fact that people are tagged as part of the “enemies of the state.”

5. *Churches as Human Rights Defenders: A Module on Human Rights* (National Council of Churches in the Philippines, 2012), 90–94.

“Something is indeed terribly wrong when pastors and church workers are killed, arrested and detained or go missing while they are teaching people to know, defend and fight for their rights,”<sup>6</sup> Rev. Rex Reyes, then general secretary of the NCCP, said at the time of the filing of the UCCP case against Arroyo.<sup>7</sup>

Yet human rights violations persist, especially with President Rodrigo Duterte declaring his utter disregard for human rights in his speeches.<sup>8</sup>

Churches used to be a place of refuge. Churches, especially during the martial law regime, advocated for the respect of human rights, exposed human rights violations, and stood in solidarity with the victims.

The military doctrine of an “all-out war” seen in the various operational plans (OPLANs), aimed at ending the decades-long Communist-led insurgency by going after those under the legal organizations and personalities, has given rise to the phenomenon of human rights defenders becoming human rights victims themselves. As stated by this author in various fora, there is something very wrong when those who advocate for human rights and defend them end up becoming victims themselves and need to be defended as well. But that is the reality that human rights defenders face in this country, so that programs like Defend the Defenders are needed.

A big part of the problem is due to the blurring of lines between combatants and non-combatants. As reported by Rappler, a media outlet led by the Nobel prize awardee for 2021, Maria Ressa:

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6. Olea, “Protestant Church Sues.”

7. The Rev. Rex Reyes is a bishop of the Episcopal Church in the Philippines and a member of the WCC central committee.

8. See Franco Luna, “‘I Don’t Care about Human Rights,’ Duterte Says, Urging Cops to ‘Shoot First,’” *Philstar Global*, 3 December 2020, <https://www.philstar.com/headlines/2020/12/03/2061268/i-dont-care-about-human-rights-duterte-says-urging-cops-shoot-first>. The report quoted Duterte: “I say to the human rights, I don’t give a shit with you. My order is still the same. Because I am angry.” Duterte has often slammed the criticisms of rights groups, and statements encouraging police to shoot first are nothing new. Earlier in the coronavirus pandemic, he also urged law enforcement personnel to “shoot dead” any quarantine violators, especially those linked to left-leaning groups critical of his administration.

A White Area policy paper from Gonzales’ office that was eventually fused with Oplan Bantay Laya reads: “The AFP is following the old military philosophy that the diminution of the coercive power of the NPA can cause the whole revolutionary activity to fall. This is no longer the case. The current setup of the whole insurgency suggests that the military pressure has to be applied [on] all fronts and against all personalities simultaneously in order to create an impact” [underscoring mine]. . .

. . . The plan was to launch an information drive among civilian agencies on the presence of front organizations in populated areas, on what they do, where they get funding, and how to stop them – legally. . . .

. . . a former Palace official says, the Armed Forces went their own way to add white area operations in its counterinsurgency doctrine and as a key brainwashing tool among commanders – despite doubts over the commanders’ grasp of the nuances of the situation and the likelihood that it was open to various interpretations.

Under Oplan Bantay Laya 1 and 2, one of the key objectives stated in secret military documents is to “neutralize the White Area command and communist movement personalities in sectoral organizations providing support to the . . . armed struggle.”

The documents, in fact, cite “results of operations” against “sectoral personalities” that led to a 52% decline in their number.<sup>10</sup>

The same Rappler report observed that “in 2005 alone, there was a 583% increase in extrajudicial killings from the previous year,” according to data culled by the government’s own technical working group created under the government peace panel with the communist rebels.

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9. Norberto Gonzales was the national security adviser at that time. Earlier on, as “presidential adviser on special concerns at the time, he asked his staff, led by retired Major Abraham Purugganan, to draw up a framework on the new insurgency landscape. Purugganan and his team came up with a paper on the insurgents’ ‘white area’ operations.”

10. See Glenda M. Gloria, “War with the NPA, War without End,” 29 February 2020, Rappler, <https://www.rappler.com/newsbreak/in-depth/252770-archives-war-with-npa-without-end>.

“In its 2007 assessment of Oplan Bantay Laya 1, the Armed Forces cite the following deficiency in its counterinsurgency campaign: ‘Only about 20% of the actual neutralized personalities are in the Order of Battle list.’ Neutralize means three things to the military: arrest, hurt, or kill.”<sup>11</sup>

## Order of Battle

An Order of Battle refers to a document by the military, police, or any law enforcement agency of the government listing the names of persons and organizations that it perceives to be enemies of the state and which it considers as legitimate targets as combatants that it could deal with, using means allowed by domestic and international law.<sup>12</sup>

Section 5 of RA 10353 reads:

“Order of Battle” or Any Order of Similar Nature, Not Legal Ground, for Enforced or Involuntary Disappearance. – An “Order of Battle” or any order of similar nature, official or otherwise, from a superior officer or a public authority causing the commission of enforced or involuntary disappearance is unlawful and cannot be invoked as a justifying or exempting circumstance. Any person receiving such an order shall have the right to disobey it.

Despite this law, Orders of Battle exist. Philip Alston, the United Nations Human Rights Council’s Special Rapporteur on extrajudicial, summary, or arbitrary executions, conducted a fact-finding mission to the Philippines on extrajudicial killings and had this to say:

The public vilification of “enemies” is accompanied by operational measures. The most dramatic illustration is the “order of battle” approach adopted systematically by the AFP and, in practice, often by the PNP. In military terms an order of battle is an organizational tool used by military intelligence to list and analyze enemy military units. The AFP adopts an order of battle in relation to the various regions and sub-regions in which it operates. A copy of a leaked document of this type, from 2006, was provided to me, and I am aware of no reason to doubt its authenticity. The document, co-signed by senior military and police officials, calls upon “all members of the intelligence community in the [relevant] region . . . to adopt and be guided by this update to enhance a more comprehensive and concerted effort

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11. Gloria, “War with the NPA.”

12. Order of battle as defined by the *Republic Act (RA) 10353: An Act Defining and Penalizing Enforced at Involuntary Disappearance*, [https://didm.pnp.gov.ph/images/sidebar\\_pdf/others/Republic\\_Act\\_No.\\_10353.pdf](https://didm.pnp.gov.ph/images/sidebar_pdf/others/Republic_Act_No._10353.pdf).

against the CPP/NPA/NDF.” Some 110 pages in length, the document lists hundreds of prominent civil society groups and individuals who have been classified, on the basis of intelligence, as members of organizations which the military deems “illegitimate.” While some officials formalistically deny that being on the order of battle constitutes being classified as an enemy of the state, the widespread understanding even among the political elite is that it constitutes precisely that.<sup>13</sup>

This shift of doctrine in the military thinking has led into the vilification, red-baiting/red-tagging, filing of trumped-up charges, and extra-judicial killings of civilians suspected or judged as enemies of the state.

The military, after the long years of martial law, has not “returned to barracks,” so to speak; to this day they impose their will in civilian affairs despite the constitutional provision and principle that “Civilian authority is, at all times, supreme over the military. The Armed Forces of the Philippines is the protector of the people and the State . . . .”<sup>14</sup>

One instance is on the conduct of the peace talks. When President Duterte was contemplating reviving the stalled peace talks between the Government of the Republic of the Philippines and the National Democratic Front of the Philippines, the national security adviser and the defence chief, who were former generals, openly disagreed with their commander-in-chief (a civilian) on the conduct of the talks. The two were quoted in the media as pushing for localized peace talks.<sup>15</sup>

As the president’s alter-ego, they should have waited for the president’s directive or debated the matter within the cabinet and not in the public sphere. Notes a Rappler report: “The statements from the military, Lorenzana,

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13. United Nations, Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural Rights, Including the Right to Development: Report of the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, Philip Alston. 16 April 2008, Human Rights Council Eighth session, Agenda item 3, [https://www.karapatan.org/files/English\\_Alston\\_Report\\_Mission\\_to\\_the\\_Philippines\\_HRC8.pdf](https://www.karapatan.org/files/English_Alston_Report_Mission_to_the_Philippines_HRC8.pdf).

14. See Article II, Section 3, of the 1987 Constitution of the Republic of the Philippines. Article II is entitled “Declaration of Principles and State Policies.”

15. See J. C. Gotinga, “Military to Resume Offensives vs NPA as Holiday Ceasefire Lapses,” Rappler, 7 January 2020, <https://www.rappler.com/nation/248720-military-resume-offensives-against-npa-ceasefire-lapses>. The report summary states: “The military, the defence chief, and the national security adviser all caution against reviving peace talks with communist rebels, saying it’s a ruse to buy guerrillas time to regroup.”



and Esperon, both retired military generals, are a rare instance of Duterte administration officials expressing disagreement with the President.”<sup>16</sup>

## **Red-baiting/Red-tagging, Vilification, and Extra Judicial Killings**

Notes the *Observer Journal*:

political activists and especially human rights defenders (HRDs) are often criminalized for using their sanctioned rights. Red-baiting is a common strategy of state actors to intimidate and muzzle government-critical individuals, activists, human rights defenders as well as organizations who peacefully engage for their rights. They are labeled as state enemies, communist, terrorists, or members of communist front organizations—labels that give rise to human rights violations in the Philippines.<sup>17</sup>

On the other hand, Philip Alston reported:

Newspapers routinely carry reports of senior military officials urging that alleged CPP front groups and parties be neutralized. Often, prominent political parties and established civil society groups are named specifically. The public is told that supporting their work or candidates is tantamount to supporting “the enemy.” This practice was openly and adamantly defended by nearly every member of the military with whom I spoke. When I suggested to senior military officials that denunciation of civil society groups should only be done according to law and by the Government, the response was that civilian authorities are in no position to make such statements because they might be assassinated as a result. On another occasion, I asked a senior civilian official whether the government might issue a directive prohibiting such statements by military officers. He expressed vague sympathy for the idea, but his subordinate—a retired military commander—promptly interjected that such a directive would be “impossible” because “this is a political war.” When political “warfare” is conducted by soldiers rather than civilians, democracy has been superseded by the military.<sup>18</sup>

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16. See Gotinga, “Military to Resume Offensives.”

17. See “Editorial,” *Observer: A Journal on Threatened Human Rights Defenders in the Philippines* 6:1 (2014), 3, [https://ipon-philippines.org/wp-content/uploads/ObserverJournal/Observer\\_Vol.6\\_Nr.1\\_RedBaiting2.pdf](https://ipon-philippines.org/wp-content/uploads/ObserverJournal/Observer_Vol.6_Nr.1_RedBaiting2.pdf).

18. United Nations, *Promotion and Protection*, no. 16.

## **A Prophetic Witness for Human Rights and Human Dignity**

Bishop Rex R. B. Reyes stated that “in the Philippines, to come to the defence of the vulnerable and/or those made vulnerable is not only a pastoral responsibility but also a prophetic task.”<sup>19</sup>

“Christian praxis in the Philippines,” says Bishop Reyes,

raises the question of grinding poverty in a land abounding in natural resources, of the concentration of wealth and power to so few and the perpetual powerlessness of the majority, of the obvious imposition of global policies that place priority on profit and capital at the expense of human dignity and of communities and of the tendency of the State to vilify, malign and oppress those who uphold human rights.<sup>20</sup>

The NCCP could not help but be true and steadfast to its reason for being, however. Among its aims are:

It is no wonder, then, that in the context of impunity, where the lines are blurred and where human rights defenders are themselves tagged as enemies of the state and dealt with as such, the surveilling eye of the elements of coercive power focuses on the work, mission, and ministry of the church. It is no wonder that as the churches band together and as church workers dare to stand up for human rights and uphold human dignity, standing by the side of the poor and the oppressed, they, as defenders of human rights and human dignity, become victims themselves.

As no one is an island, there is a need to develop communities of support and to organize a global coalition and network of ecumenical, interreligious, and multi-faith movements in solidarity in pushing forward the observance and defence of human rights as well as the upholding and respect for human dignity.

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19. *In the Image of God: Reflections and Perspectives on Human Rights* (National Council of Churches in the Philippines, 2012), vi–vii.

20. *In the Image of God*.



## Human Dignity and Human Rights: Churches in Solidarity with Victims of Human Right Violations in West Papua

Fransina Yoteni

### Culture Analysis

West Papuan is Melanesian. Melanesians are the native inhabitants of the Melanesian region in the Pacific which include Vanuatu, the Solomon Islands, Fiji, and Papua New Guinea. They are characterized by dark skin colour and curly hair. By culture, they share similar rules and myths. Melanesians existed 50,000 to 30,000 years ago, when the first man of the human species left Africa.<sup>1</sup>

Rules and myths contribute significantly to the Melanesians' way of living. The Marind tribe believes that the forest is a sentient ecology which is covered with creatures and nature.<sup>2</sup> Nature teaches humans about harmonizing in an interdependence between humans and nature. Therefore, Melanesians praise nature by performing rituals of care and respect that allow them to live in harmony with it.

In this modern era, West Papua offers two significant contributions to the world. First, its rain forest provides oxygen and serves as the lungs of the world. Second, West Papua possesses the world's coral triangle heart, where marine life exists in beauty and plenty.

West Papua is challenged by the practice of planned deforestation. This means that the forest is being changed to a non-forest zone for the purposes of economic development. For the last two decades, Papua's forests have shrunk by 663,443 hectares: 29 percent of this shrinkage occurred from 2001 to 2010, and 71 percent occurred between 2011 and 2019, with the highest forest

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1. Jonathan Friedlaender from Temple University, in "Meet Melanesia: Not a Country, but a Culture Area," West Papua Story website, <https://westpapuastory.com/meet-melanesia-not-country-culture-area>.

2. See Sophie Chao, "Bagi orang Marind di Papua, Tanaman dan Hewan Hutan Adalah Keluarga," *Pembangunan Manusia* 185 (July 2021), <https://baktinews.bakti.or.id/artikel/bagi-orang-marind-di-papua-tanaman-dan-hewan-hutan-adalah-keluarga>.

shrinking of 89,881 hectares occurring in 2015. The average deforestation in Papua is 34,918 hectares per year. About 1,292,497 hectares or 82 percent of the total area of deforestation had dense natural forest cover when the government granted forest conversion permits for oil palm plantations. The forest conversion to oil palm plantation causes ecological disasters. Deforestation also triggers conflicts and human rights violations. This is the reason why deforestation is categorized as a form of ecological savagery—because it is a destructive act.<sup>3</sup>

In the context of Indigenous people, deforestation in West Papua can be categorized as an act of cultural genocide. This is because Papuans see the forest as related to cultural identity and living space. It also holds shared historical and social values. Cultural destruction refers to an act of systematically destroying the source of life and culture of certain Indigenous groups which results in the loss of their source of livelihood. This connects to ecocide, which refers to the immense damage done to the natural environment.

The heart of the world's coral triangle is located in The Raja Ampat Islands of West Papua and Taman Laut Cenderawasih. These two places are the centre of the world's richest tropical marine biodiversity and have become destinations for snorkelling and diving tourism. These locations need to be protected and preserved in such a way that tourists are not allowed to touch, kick, and take corals, because coral reefs are foraging locations for sea creatures.<sup>4</sup>

From these two places it becomes clear that the concept of eco-theology is a key concept in doing theology in the Papua region.

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3. Auriga in "Deforestasi Terencana di Papua," *Forest Digest*, 12 February 2021, <https://www.forestdigest.com/detail/1008/deforestasi-papua>; Earth Observatori NASA, 2021, <https://www.cnbcindonesia.com/tech/20211115055213-37-291416/nasa-rilis-hutan-papua-makin-gundul-ini-bantahan-klhk>

4. See CNN Indonesia, "7 Clusters of Largest Coral Reefs in the World," *CNNIndonesia.com*, 3 June 2021, <https://www.cnnindonesia.com/gaya-life/20210603123746-269-649875/7-gugusan-terumbu-karang-terbesar-di-dunia>; Admin, "Menilik Kondisi Kesehatan Terumbu Karang Taman Nasional Teluk Cenderawasih, Teluk Cenderawasih National Park website, 16 March 2022, <https://telukcenderawasihnationalpark.com/menilik-kondisi-kesehatan-terumbu-karang-taman-nasional-teluk-cenderawasih>.

## Social Relations Analysis

West Papua society pays respect to their tribe chief and to the church. The emergence of social stratification can be found intentionally or unintentionally in society; it occurs because it is deliberately structured to achieve certain goals, such as the distribution of power and authority or in politics.<sup>5</sup>

The National Program for Community Empowerment/Strategic Plan Development Village (PNPM/RESPEK), implemented in West Papua since 2008, with the aim of various community empowerment efforts to encourage an integrated development processes in disadvantaged areas, teaches us how important it is to understand and involve existing community structures. Many government programs are implemented only by government officials. The community becomes an object. It does not participate and is not involved in the program. Planning in programming is said to be participatory, but women are rarely involved in terms of decision-making. There is discrimination in granting aid. Often a project does not function because the existing resources in the village community were lacking or inadequate; there was active participation of the community only at the time of money distribution; and monitoring and evaluation assistance are not running effectively.<sup>6</sup>

The most powerful groups are village leaders and traditional leaders. Program organizers are the dominant actors in program activities. Meanwhile, most community groups, which work traditionally, do not take part in giving proposals or work due to their heavy workload, except when they are paid. Therefore, the village organizer adopts a pattern of so-called sharing money, sharing space. To avoid disputes with other communities—which are usually relatives—the village organizers take a safe path by approaching the village elite and the project officers to absorb the program ideas and funds. As a result, strengthening community capacity through PNPM/RESPEK is difficult to achieve.

In the last 10 years, the highest spike in the increase in the poor population in Papua occurred in 2010: the total rose by 271,800 people from 709,400 people in 2009 to 981,200 people in 2010. Meanwhile, the lowest number of

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5. See Ilham Choirul Anwar, “What is Open, Closed, and Mixed Social Stratification?” *Tirto.id* website, 28 March 2021, <https://tirto.id/apa-itu-stratifikasi-sosial-terbuka-tertutup-dan-campuran-gby8>.

6. See Alexander P. Tjilen, “Partisipas Masyarakat Dalam Program” (n.d.), <https://media.neliti.com/media/publications/42685-ID-partisipasi-masyarakat-dalam-program-pnpm-mandiri-respek-di-distrik-sota-kabupat.pdf>.

poor people in the last 10 years occurred in 2008, with only 709,300 thousand inhabitants.<sup>7</sup> Papua is the province with the highest poverty rate nationally. The majority of Papua's poor live in rural areas. More than a third of the rural population in Papua live in poverty. The number of people in Papua province living below the poverty line was 944,490 people in September 2021. In total, it reaches 27.38 percent of the population. This percentage is the highest of Indonesia's 33 other provinces. There are 895,260 people in rural Papua living below the poverty line. This amount has reached 36.5 percent of the total population. This means that more than a third of the population in rural Papua is poor. Only 49,230 people or 4.94 percent of the total population lives in poverty in urban areas of Papua. The data shows that the disparity of the poor in rural and urban areas of Papua is very wide, so attention is needed to improve the condition of rural communities in the easternmost province of West Papua Indonesia. Papuans are categorized as poor if expenditures to meet basic living needs are below 600,790 Indonesian rupiahs per capita per month or 2.99 million Indonesian rupiahs per house in poor households per month in September 2021. For rural areas, the poverty line is 582,160 Indonesian rupiahs per capita per month. Meanwhile, the poverty line for urban areas is 643,070 Indonesian rupiahs per capita per month.<sup>8</sup>

In contrast, the Population Census of 2010 shows that net migration, which refers to the difference between inbound and outbound migration events, still takes place and can show whether a district or city is an area that is attractive to residents of the surrounding areas. It can also be determined whether a district or city is an area that is not favoured as a place to live. A positive net migration rate occurred for the two Papuan provinces, meaning that the number of people entering is more than the number of people leaving. How strange it is that when Papuan lives are under threat of cultural genocide and one third of Papuans living in rural areas are categorized as poor, Papua still is attractive to migrants.

The transmigration program in Papua has been going on from 1964 to 1999, with the latest data being 78,000 households. Transmigration is the movement of people from a densely populated area within the territory of the Republic of Indonesia, in the interests of the state and for reasons deemed necessary by the government. After the implementation of the Special Autonomy

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7. Central Statistics Agency, Badan Pusat Statistik, 2021, <https://www.bps.go.id>.

8. See "Poverty Rate Indonesia Drops to 9.71% In September 2021," Databoks website, <https://databoks.katadata.co.id/datapublish/2022/01/18/lebih-dari-sepertiga-penduduk-perdesaan-papua-hidup-miskin-pada-september-2021>.

Law No. 21 of 2001, the transmigration program stopped temporarily. The Papua provincial government had proposed a local transmigration program by empowering local Indigenous people. However, the national regulations governing transmigration do not recognize transmigration programs for local communities.

Papuans also experience racial discrimination and xenophobia. They are stereotyped as being not equal to other citizens. This prejudice breeds negative behaviour (discrimination). Discrimination is an intellectual product rooted in a cognitive error. Stereotyping is usually found in using characteristics of a certain group. It is a behaviour that simplifies a complex and dignified identity. It affects the process of interpreting information and is inaccurate, resulting in mockery. Types of stereotypes can be found to be used in freedom of speech, expression, and opinion. They are also present in laws and regulations, including gender and occupational stereotypes, and often put the rights of Indigenous people at risk.

Relations between stakeholders are also challenged by a lack of trust. For example, trust is lacking between Indigenous communities and the central government (Jakarta) and between the Papuan Council, the Parliament, and church leaders. This can be seen in a case where Papuan church leaders released a pastoral letter for a complete evaluation for development program implementations; sought information regarding four root causes of conflict in Papua; and requested a just peace, the cessation of troop deployment in Papua, and the cessation of human rights violations and racial discrimination that many Papuans experience. This, however, was not taken into account by the central government in Jakarta.

Papua is an area closed to the international media. There is no freedom of expression. Tensions between the central government (Jakarta) and Papua often happen. For example, the extension of the Second Special Autonomous Law was arbitrarily designed by Jakarta without proper consultation and ignored the involvement of Indigenous Papuans, the Papuan Council, and the Papua Parliament. The increase in human rights violations is caused by many troop deployments and conflicts with the independence movement groups and results in thousands of internally displaced persons in West Papua who do not have access to international humanitarian aid. Heavy human rights violations such as *Wamena berdarah* (*berdarah* means “bleeding”), *Biak berdarah*, *Wasiore berdarah*, *Paniai berdarah*, and *Intan Jaya berdarah* are not considered. Recently, there militia groups have been created to sponsor migrants against Papuans as a threat to peace and stability in the country.



During COVID-19, poor families become poorer. Thousands of schoolchildren and young people could not attend classes for economic reasons. Health issues compounded as accessing health services in hospitals was difficult and insurance was not adequate.

Meanwhile, the World Council of Churches, the United Evangelical Church, the Christian Council of Churches, and the Pacific Council of Churches have taken primary action by doing pastoral visits to the country and advocating for the Papua situation and bringing it into the United Nations mechanism.

Facing conflicts in Papua, church leaders, women's groups, traditional leaders, and non-governmental organizations prioritize and promote peace for Papua with an appeal of "Papua Tanah Damai" (Papua, Land of Peace) as bargaining power against violence.

## **Historical Analysis**

Here I will discuss some historical milestones in the West Papua conflict. On 20 April 2011, the Indonesian Institute of Science found that "The four root problems are the failure of development, marginalization and discrimination of Indigenous Papuans, state violence and allegations of human rights violations, as well as the history and political status of the Papua region.<sup>9</sup> For Papuans, our history is always with us, and it is important to name it here.

The timeline of the conflict begins during the period of the Cold War (12 March 1947–26 December 1991), right after the Second World War. A problem began precisely after the decision of the Round Table Conference (KMB) in The Hague in 1949 about determining the status of West Papua between Indonesia and the Netherlands. This dragged on until there was a regime change in Indonesia. The Dutch had been prepared for West Papuan independence. On 1 December 1961, the Morning Star flag was hoisted and the national anthem, "Hai Tanahku Papua," was sung. The motto chosen for West Papua was "One People One Soul," and the state symbol was the southern crowned pigeon.

Afterwards, on 19 December 1961, Sukarno, the first Indonesia president, declared three commands (Trihora) to "Fail the puppet state of Papua, Raise

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9. Floranesia Lantang and Edwin Tambunan, "The internationalization of "West Papua" issue and its impact on Indonesia's policy to the South Pacific region," in SSOAR Open Access Repository <https://d-nb.info/1243184108/34>.

the red and white flag in Papua, and Prepare for public mobilization.”<sup>10</sup> This was the beginning of Indonesia’s terrorization of Papuan. On 1 May 1963, under the New York Agreement (15 August 1962, Articles IX, X, XII and XIII) the executive board of the Provisional Government of the United Nations, or United Nations Temporary Executive Authority (UNTEA), unilaterally handed over the administration of the West Papua region to the Indonesian government (NKRI).

When Suharto, the second president of the Republic of Indonesia, began his reign on 12 March 1967, he was immediately faced with the problem of Indonesia’s declining economy. He developed an early policy that had a long-lasting impact, including concerning the fate of the Papuan people: existing Law No.1/1967 on foreign investment. This was the contract of work to Freeport. Suharto signed a contract of work on 7 April 1967. To secure this investment, Suharto had to ensure that Papua remained part of Indonesia. Therefore, the Indonesian government must secure the voice of the Papuan people through the Act. According to a clause in the New York Agreement, which was supervised by the United Nations, the Act of Free Choice (Pepera) had to be held in 1969. The Pepera option was complicated: remain with Indonesia or be independent.

Later, between 14 July and 2 August 1969, the Act of Free Choice, a general election to determine whether Papuan belonged to the Netherlands or Indonesia, took place. The general election was carried out outside the provision of the New York Agreement, which had stipulated “One Man One Vote.” Out of 800,000 Papuans, only 1025 men and women were chosen to represent the deliberation of not voting. The 1025 people were randomly selected and were intimidated, forced at gunpoint to choose to enter Indonesia. This is the root of the Papuan problem. Human rights violations occur not in secret, but openly. PJ Drooglever’s book intitled *Een Daad van Vrije Keuze* states, “Dit is een Schaam” . . . this is a shame—undemocratic, illegally and morally flawed.<sup>11</sup>

The violence and terror that began with Indonesia’s first invasion of Papua has not ended. At the 2016 United Nations General Assembly, seven South Pacific countries—Nauru, Marshall Islands, Tuvalu, Vanuatu, Solomon Islands, Tonga, and Palau—commented on current state violence

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10. See Yuda Prinada, “Sejara Operasi Trikora,” Tirto.id website, 17 December 2021, <https://tirto.id/gaV7>.

11. See JUBI website, <https://jubi.co.id/Kapankah-konflik-di-atas-tanah-papua-berakhir>.

and allegations of human rights violations to support West Papua. The UN states that shocking abuses against Indigenous Papua have been taking place in Indonesia from November 2021 to April 2022. They received allegations indicating several instances of extrajudicial killing, including young children, disappearances, torture, and enforced mass displacement of about 5000 Indigenous Papuans by special forces (1 March 2022). It does not end.

## **Economic Analysis**

Data from the Central Statistics Agency (BPS) shows that in 2018, the economic growth of Papua province and West Papua province reached 7.33 percent and 6.24 percent, respectively, which was higher than the national economic growth of 5.17 percent. However, the contribution of the two provinces to the country's economic growth is still low, at around 2.47 percent. In fact, Papua has considerable potential in terms of natural resources, which can make a greater contribution to the national economy if they are managed properly.

The contribution of the mining and quarrying sector to the gross regional domestic product (GRDP) of Papua and West Papua was 36.72 percent and 17.98 percent, respectively. Meanwhile, the contribution of the agriculture, forestry, and fishery sectors to the GDP of Papua and West Papua are 11.28 percent and 10.46 percent, respectively. Compared to the agriculture, forestry, and fisheries sectors, the mining and quarrying sector still has the largest share in the economies of Papua and West Papua. This trend can be a threat to the existing ecosystem if the mining and quarrying sector continues to develop.

In line with improving economic activity, in August 2021 the number of people working in Papua was recorded to have increased to 1.88 million people, thereby encouraging an increase in the Labor Force Participation Rate (TPAK). LFPR recorded an increase from 73.47 percent in February 2021 to 78.29 percent in August 2021.

In general, the number and percentage of poor people in September 2021 increased. Papua province is still the province with the largest percentage of poor people in Indonesia. The number and percentage of poor people increased compared to March 2021 and is higher than in September 2020. In line with the decline in welfare, the Poverty Depth Index (P1) increased to 6.31 and the Poverty Severity Index (P2) increased to 2.05 in the September 2021 period. The change in the index is still better than the situation in September 2020, but higher than the national figure, which was at 1.67 and 0.42. One

factor of influence might be COVID-19, which didn't hit Papua and West Papua as hard.

## **Political Analysis**

The concept of Indigenous peoples as a group of people who have ancestral origins from generation to generation in a certain geographic area and have a system of values and ideologies is well accepted. Papuans as an Indigenous community have a very strong belief in the existence of customary law communities (*adat*) and the legal relationship between customary law communities and areas of life, which are in the form of forests. Forests conserve, protect, and produce. In this belief, humans and nature together fill the power of life, which comes from the Creator who dwells in the realm where the human spirit will eventually rest. Life is seen as a fundamental force. Traditional ceremonies are of a special nature and are generally carried out to ensure continuity of strength, fertility, and community health. Spirit power in *adat* comes from land, and ownership over land gives power to the legal community or *adat* to enforce the custom of ensuring the public's prosperity.

There are four basic classifications for political organizations in Indigenous communities: the Big Man system, the Ondoafi system, the Kingdom system, and the Mixed system. In the Big Man community, leadership is determined through the performance and personal traits of potential leaders, while in the Ondoafi and Kingdom systems, leadership is obtained through the male line of descent. In the Mixed system, leadership can be determined through lineage or attainment, depending on the social conditions and the local economy. The Big Man system is the most prominent in Papua and throughout Melanesia. Even though there is diversity that stands out in the complexity of politics, leadership is generally achieved through the fulfilment of certain criteria. Characteristics such as wealth, diplomacy, charisma, honesty, physical strength, and fighting skills are used in selecting and evaluating potential community leaders. After all, wealth and effective distribution of wealth are important characteristics that are appreciated by community leaders, and battle skills and physical strength are considered the main qualities of a leader. The welfare of a community group is a factor that determines how to choose a leader. In Biak, for example, village heads are usually chosen based on the family ancestry of the founder of the village from a period of prosperity but are often replaced by merchants, war leaders, or religious figures during times of crisis.

Although the customary law community system in Papua is diverse, all have elements of shared leadership based on consensus or deliberations. In the Big Man system, the community has the authority to decide who has leadership qualities and assess whether a leader has the right to remain in power. Community elders are given the right to convey their opinions in public meetings and leading roles. The Big Man is carrying out the community consensus through his decisions. The special trait of a Great Man is his ability to know the direction of community sentiment and to effectively convince the elderly, especially those who oppose an idea, that the final decision is in accordance with the interests of the community. If the Great Man fails to bring the community in the direction most of the members want, then he will be replaced. It's the same with the Ondoafi system and the Kingdom system: the elders, which are now known as *adat* councils, have a fundamental role in building consensus as a counterbalance rulership based on lineage. Also, in a Mixed system, the parents decide whether a ruler based on heredity can remain in power or must be replaced by someone who is more capable.

## **Gender Analysis**

Gender mainstreaming (PUG) is a strategy to integrate gender into an integral dimension of planning, drafting, implementing, monitoring, and evaluating national development policies and programs. The implementation of PUG must be reflected in the process of formulating policies that serve as a reference for planning and budgeting to ensure that programs and activities of all government institutions, both central and regional, are gender responsive; this is also known as gender responsive planning and budgeting (PPRG). PPRG provides that endorsement of planning and budgeting should take into account the aspirations, needs, and problems of both men and, more specifically, women in the preparation process and in the implementation of activities.

In the local context in Papua, the government issued Law No. 21 of 2000 on Special Autonomy. Under the provisions of this law, women get improved certainty over their participation in determining local policies through the Papuan People's Council (MRP). In this assembly, representing the Papuan people who are segregated into various ethnic groups, women's groups get a quota of one-third of the seats in the MRP. This opens up opportunities for women to be able to erode various gender inequalities caused by social and cultural aspects.

To support Development for Papuan Women (Affirmative Action), especially for women's economic empowerment, real partisan steps are needed. For this reason, it is necessary to identify innovative practical efforts so that women working in the agricultural and trade sectors can be helped by providing access to information, space, and finances.

In fact, women are rarely involved in terms of decision-making and often face discrimination in systems of aid. This often impacts the effectiveness of a project because the existing resources in a village community were lacking or inadequate. Understanding of the social and cultural aspects of Papuan people needs to be enhanced when the household approach is used in women's economic empowerment programs in decision-making positions in the public sector.

"Papuan mamas" are economic drivers, especially agriculturally, because of their relatively large role in this sector, above 60 percent.<sup>12</sup> They earn their income from selling vegetables from their gardens, whereas men have access and opportunities to work in larger-scale plantations, the timber industry (sawsaw), and mining.

In Papuan traditional markets, the majority of activities are held by women. In contrast to migrant women who sell various products, Papuan mothers generally sell areca nut, vegetables, and tubers on a subsistence level. It is not uncommon for Papuan mothers to have to deal with market economic patterns that force them to adapt, such as renting a kiosk in the market, getting access to financial institutions, and so on. Gender-responsive policies in the context of Papuan women are important so that interested parties (especially local governments) can understand and support economic efforts carried out by Papuan women, such as those related to places of business, assistance, access to information, and marketing to improve their quality of life.

## **The Role of the WCC and the Struggle for Human Rights in West Papua**

In the Second Letter to the Corinthians, the apostle Paul stated, "Now the Lord is the Spirit, and where the Spirit of the Lord is, there is freedom. And we all, who with unveiled faces contemplate the Lord's Glory, are being

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12. United Nations Development Programme, Study on Women's and Men's Health and Life Experiences in Papua, Indonesia: UNDP Report, August 2016, <https://www.undp.org/indonesia/publications/study-womens-and-mens-health-and-life-experiences-papua>.

transformed into his image with ever-increasing glory, which comes from the Lord, who is the Spirit.” (3:16-18).

Since the WCC was established after the world experienced the First and Second World Wars, the theme of justice, peace, and the integrity of creation is mandated to be carried out along its 75th anniversary journey. The WCC can channel the need for the right of self-determination as written in the statement on the situation in Tanah Papua (Indonesia) adopted by the WCC executive committee in Bossey, Switzerland, on 14-17 February 2012.<sup>13</sup>

Thus, the accompaniment of the WCC in prayers and in visits to address the West Papua situation using the UN mechanism is continuously needed and emerging.

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13. See Lutheran World Federation, “Public Statement: The Situation in Tanah Papua (Indonesia),” (n.d.), <https://www.lutheranworld.org/sites/default/files/Public%20Statement%20-%20The%20Situation%20in%20Tanah%20Papua%20%28Indonesia%29.pdf>; see also World Council of Churches, “The WCC Executive Committee Statement: Concern and Solidarity for West Papua,” 27 May 2019, <https://www.oikoumene.org/resources/documents/the-wcc-executive-committee-statement-concern-and-solidarity-for-west-papua>.

**Section 6:  
Essential Reading**







## Appendix A

### Universal Declaration of Human Rights (UDHR)<sup>1</sup>

#### Preamble

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,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

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1. The UDHR was proclaimed by the United Nations General Assembly in Paris on 10 December 1948 (General Assembly resolution No 217 A) as a common standard of achievements for all peoples and all nations. It sets out, for the first time, fundamental human rights to be universally protected and it has been translated into over 500 languages. <https://www.un.org/en/about-us/universal-declaration-of-human-rights>.

The UDHR is one of the core foundational documents also of the Human Rights Based Approach (HRBA) of the UN in its common framework for understanding sustainable development, see: <https://www.un.org/en/about-us/universal-declaration-of-human-rights>.

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now, therefore,

The General Assembly,

Proclaims this Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

### **Article 1**

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

### **Article 2**

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

### **Article 3**

Everyone has the right to life, liberty and security of person.

### **Article 4**

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

### **Article 5**

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

## **Article 6**

Everyone has the right to recognition everywhere as a person before the law.

## **Article 7**

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

## **Article 8**

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

## **Article 9**

No one shall be subjected to arbitrary arrest, detention or exile.

## **Article 10**

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

## **Article 11**

1. Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.
2. No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

## **Article 12**

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation.

Everyone has the right to the protection of the law against such interference or attacks.

## **Article 13**

1. Everyone has the right to freedom of movement and residence within the borders of each state.
2. Everyone has the right to leave any country, including his own, and to return to his country.

## **Article 14**

1. Everyone has the right to seek and to enjoy in other countries asylum from persecution.
2. This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

## **Article 15**

1. Everyone has the right to a nationality.
2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

## **Article 16**

1. Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.
2. Marriage shall be entered into only with the free and full consent of the intending spouses.
3. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

## **Article 17**

1. Everyone has the right to own property alone as well as in association with others.
2. No one shall be arbitrarily deprived of his property.

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

## **Article 19**

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

## **Article 20**

1. Everyone has the right to freedom of peaceful assembly and association.
2. No one may be compelled to belong to an association.

## **Article 21**

1. Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
2. Everyone has the right of equal access to public service in his country.
3. The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

## **Article 22**

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

### **Article 23**

1. Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
2. Everyone, without any discrimination, has the right to equal pay for equal work.
3. Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
4. Everyone has the right to form and to join trade unions for the protection of his interests.

### **Article 24**

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

### **Article 25**

1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.
2. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

### **Article 26**

1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
2. 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.

3. Parents have a prior right to choose the kind of education that shall be given to their children.

### **Article 27**

1. Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.
2. Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

### **Article 28**

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

### **Article 29**

1. Everyone has duties to the community in which alone the free and full development of his personality is possible.
2. In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.
3. These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

### **Article 30**

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.





## Appendix B

### Additional Resources for the Discussion on Human Rights and Human Dignity

#### **Asian Human Rights Charter: A People's Charter (1998)**

Asian Human Rights Charter is a people's charter. It is part of an attempt to create in Asia a popular culture on human rights. Thousands of people from various Asian countries participated in the debates during the three-year period of discussion on this document. In addition, more than 200 non-governmental organizations (NGOs) directly took part in the drafting process, and many other NGOs and people's organizations have endorsed the document.

<https://www.refworld.org/pdfid/452678304.pdf>

**Susana Borràs, "New Transitions from Human Rights to the Environment to the Rights of Nature,"** *Transnational Environmental Law* (January 2015), DOI:10.1017/S204710251500028X

<https://www.cambridge.org/core/journals/transnational-environmental-law/article/abs/new-transitions-from-human-rights-to-the-environment-to-the-rights-of-nature/72C5A1F401D82EB237CED7EFDB39E48E> and [https://www.researchgate.net/publication/291802062\\_Susana\\_Borras\\_New\\_Transitions\\_from\\_Human\\_Rights\\_to\\_the\\_Environment\\_to\\_the\\_Rights\\_of\\_Nature\\_Transnational\\_Environmental\\_Law](https://www.researchgate.net/publication/291802062_Susana_Borras_New_Transitions_from_Human_Rights_to_the_Environment_to_the_Rights_of_Nature_Transnational_Environmental_Law)

#### **Charter of Paris for a New Europe (1990)**

From a meeting of the heads of state or government of the participating states of the Conference on Security and Co-operation in Europe. See the important section on "Human Rights, Democracy and Rule of Law," <https://www.osce.org/files/f/documents/0/6/39516.pdf>

## **Susan Durber, Putting God to Rights: A Theological Reflection on Human Rights (Christian Aid, 2016)**

This publication considers the languages of faith and human rights and explores any tensions that lie between them.

[https://www.christianaid.org.uk/sites/default/files/2017-08/putting-god-to-rights-report-june-2016\\_0.pdf](https://www.christianaid.org.uk/sites/default/files/2017-08/putting-god-to-rights-report-june-2016_0.pdf)

## **European Convention on Human Rights, European Court of Human Rights, Council of Europe (1953)**

[https://www.echr.coe.int/documents/convention\\_eng.pdf](https://www.echr.coe.int/documents/convention_eng.pdf)

Background information: <https://www.equalityhumanrights.com/en/what-european-convention-human-rights> and [https://en.wikipedia.org/wiki/European\\_Convention\\_on\\_Human\\_Rights](https://en.wikipedia.org/wiki/European_Convention_on_Human_Rights)

## **The Holy and Sacred Synod of the Ecumenical Patriarchate, “Orthodox and Human Rights,” in For the Life of the World: Towards a Social Ethos of the Orthodox Church (2020)**

See especially section VII: Orthodoxy and Human Rights: “You have created us in your image and likeness,” §61–67: <https://www.goarch.org/social-ethos?fbclid=IwAR2RSPrGyRhPfAgT9p2iIQkd9wqtOYJ74GtjnpmYq9xYdxshwqr6U1FJFiY>

## **InterAction Council, Proposal for a Universal Declaration of Human Responsibilities**

(1 September 1997)

The Declaration of Human Duties and Responsibilities (DHDR) was written to reinforce the implementation of human rights under the auspices of UNESCO and the interests of the UN High Commissioner of Human Rights. It was proclaimed in 1998 “to commemorate the 50th anniversary of the Universal Declaration of Human Rights” (UDHR) in the city of Valencia. After 50 years since the adoption of the UDHR and following human rights instruments, the point of departure of the DHDR Preamble is the shared concern regarding the lack of political will for enforcing human rights

globally. The DHDR also takes into account the new challenges of the global scenario for translating rights semantically into duties and responsibilities.

<https://www.interactioncouncil.org/publications/universal-declaration-human-responsibilities>

See also [https://en.wikipedia.org/wiki/Declaration\\_of\\_Human\\_Duties\\_and\\_Responsibilities#:~:text=It%20states%3A%20%E2%80%9DAs%20the%20holders,the%20promotion%20and%20observance%20thereof](https://en.wikipedia.org/wiki/Declaration_of_Human_Duties_and_Responsibilities#:~:text=It%20states%3A%20%E2%80%9DAs%20the%20holders,the%20promotion%20and%20observance%20thereof)

## **UN Discourse on Earth Jurisprudence**

Earth Jurisprudence (Earth Jur.) is a philosophy of law and human governance that is based on the idea that humans are only one part of a wider community of beings and that the welfare of each member of that community is dependent on the welfare of the Earth as a whole. This page consolidates all the experts' inputs on Earth Jurisprudence since the First Virtual Dialogue of the General Assembly was held in 2016.

<http://www.harmonywithnatureun.org/ejInputs/>

## **UN Discourse on Harmony with Nature**

The Interactive Dialogues of the General Assembly on Harmony with Nature to commemorate International Mother Earth Day have brought to the forefront the need to move away from a human-centred worldview—or “anthropocentrism”—and establish a non-anthropocentric, or Earth-centred, relationship with the planet. Under this new paradigm, we recognize Nature as an equal partner with humankind.

<http://www.harmonywithnatureun.org/dialogues/>

## **United Church of Christ Resolution on the Rights of Nature**

On 18 July 2021, the United Church of Christ became the first mainline Protestant denomination to publicly affirm and proclaim that nature has rights.

<https://www.ucc.org/who-will-speak-for-the-trees-a-resolution-on-the-rights-of-nature/>

## **World Alliance of Reformed Churches, Rights of Future Generations—Rights of Nature: Proposal for Enlarging the Universal Declaration of Human Rights (1990)**

[https://books.google.de/books/about/Rights\\_of\\_Future\\_Generations\\_Rights\\_of\\_N.html?id=kyQxGQAACAAJ&redir\\_esc=y](https://books.google.de/books/about/Rights_of_Future_Generations_Rights_of_N.html?id=kyQxGQAACAAJ&redir_esc=y)

## **World Council of Churches, “A New Communications Paper for the 21st Century: A Vision of Digital Justice” (2022)**

On 14 February 2022, the WCC governing body received “A New Communications Paper for the 21st Century: A Vision of Digital Justice.” This text was created in preparation for the WCC’s 11th Assembly in fall 2022 that takes into account the results of a symposium on Communication for Social Justice in a Digital Age, held in September 2021.

<https://www.oikoumene.org/resources/documents/a-new-communications-paper-for-the-21st-century-a-vision-of-digital-justice>

## **World Council of Churches and World Association for Christian Communication, “Communication for Social Justice in a Digital Age: Manifesto” (2021)**

This manifesto is the product of a symposium on Communication for Social Justice in a Digital Age, held on 13-15 September 2021, that was organized by the World Council of Churches and the World Association for Christian Communication. Co-organizers included Brot für die Welt (Bread for the World), the Protestant Church in Germany (EKD), Evangelische Mission Weltweit (EMW, Association of Protestant Churches and Missions in Germany), and the World Student Christian Federation.

<https://www.oikoumene.org/resources/documents/manifesto-of-the-symposium-communication-for-social-justice-in-a-digital-age>

## **World People’s Conference on Climate Change and the Rights of Mother Earth, “Universal Declaration of Rights of Mother Earth” (Cochabamba, Bolivia, 2010)**

<https://www.garn.org/universal-declaration/>

## Appendix C

### WCC Statements on Human Dignity and Human Rights

Date	Event	Location	Title	Reference
1948	1st WCC Assembly	Amsterdam, Netherlands		<a href="https://www.oikoumene.org/news/wcc70-amsterdam-1948-2-covenanting-in-work-what-on-earth-is-the-world-council-of-churches">https://www.oikoumene.org/news/wcc70-amsterdam-1948-2-covenanting-in-work-what-on-earth-is-the-world-council-of-churches</a>
1954	2nd WCC Assembly	Evanston, USA		<a href="https://www.oikoumene.org/news/evanston-after-fifty-years">https://www.oikoumene.org/news/evanston-after-fifty-years</a>
1961 19 Nov - 5Dec.	3rd WCC Assembly	New Delhi, India	CCIA Statement on Unity	<a href="https://www.oikoumene.org/resources/documents/new-delhi-statement-on-unity">https://www.oikoumene.org/resources/documents/new-delhi-statement-on-unity</a>
1968	4th WCC Assembly	Uppsala, Sweden	Statement: “Universality (Catholicity) of the Church, Renewal in Mission, Economic and Social Development, Justice and Peace”	

Date	Event	Location	Title	Reference
1975	5th WCC Assembly	Nairobi, Republic of Kenya	<p>CCIA Statement Human Rights: “Injustice and Structures for Liberation”</p> <ul style="list-style-type: none"> <li>• The Right to Basic Guarantees for Life</li> <li>• Rights to Self Determination and to Cultural Identity and the Rights of Minorities</li> <li>• Right to Participate in Decision-Making within the Community</li> <li>• Right to Dissent</li> <li>• Right to Personal Dignity</li> <li>• Right to Religious Freedom</li> <li>• Sexism</li> </ul>	<p>Breaking Barriers. Nairobi 1975. The Official Report of the Fifth Assembly of the World Council of Churches. <a href="https://archive.org/details/wcca17/page/100/mode/2up">https://archive.org/details/wcca17/page/100/mode/2up</a></p>

Date	Event	Location	Title	Reference
1977: Aug.	WCC central committee	Statement on Torture		The Churches in International Affairs: Reports 1974-1978, p.39, <a href="https://archive.org/details/wccciareports016/page/38/mode/2up?q=Central+Committee+August+1977">https://archive.org/ details/wccciare- ports016/page/38/ mode/2up?q=Cen- tral+Committee+Au- gust+1977</a>
1982: July	WCC central committee		Statement on Extrajudicial Executions	Thirty-Fourth Meeting of the Central Committee, Statement on Extra- judicial Executions. <a href="https://archive.org/details/thirtyfourthmeet00unse/page/76/mode/2up">https://archive.org/ details/thirtyfour- thmeet00unse/ page/76/mode/2up</a>
1983: Jul. – Aug	6th WCC Assembly	Vancouver, Canada	CCIA Statement on the Middle East  Statement on Refugees and Migrant Workers	Gathered for Life: Official Report, VI Assembly World Council of Churches, Vancou- ver, Canada, 24 July - 10 August 1983, <a href="https://archive.org/details/wcca20/page/n5/mode/2up">https://archive.org/ details/wcca20/page/ n5/mode/2up</a>



Date	Event	Location	Title	Reference
1990: 5-12 Mar.	World Convocation on Justice, Peace and Integrity of Creation	Seoul, Korea	<ul style="list-style-type: none"> <li>• A Covenant So- lidity for Jus- tice, Peace and the Integrity of Creation</li> <li>• Now is the Time. Final Document &amp; Other Texts</li> <li>• Pp. 12–21— statements on Affirmation that All Exer- cise of Power Is Accountable to God</li> <li>• Affirmation of God’s Option for the Poor</li> <li>• Affirmation for Equal Value of All Races and People</li> <li>• Affirmation that Male and Female Are Created in the Image of God</li> <li>• Affirmation of Truth as Foundation of a Community of Free People</li> <li>• Affirmation of Peace of Jesus Christ</li> <li>• Affirmation on Creation as Beloved of God</li> </ul>	

Date	Event	Location	Title	Reference
			<ul style="list-style-type: none"> <li>• Affirmation of God's Option for the Poor</li> <li>• Affirmation for Equal Value of All Races and People</li> <li>• Affirmation that Male and Female Are Created in the Image of God</li> <li>• Affirmation of Truth as Foundation of a Community of Free People</li> <li>• Affirmation of Peace of Jesus Christ</li> <li>• Affirmation on Creation as Beloved of God</li> <li>• We Affirm that the Earth Is Lord's</li> <li>• Affirmation of Dignity and Commitment of the Younger Generation</li> <li>• We Affirm Human Rights Are Given by God</li> </ul>	

Date	Event	Location	Title	Reference
1990: Mar.	WCC central committee		Statement on the Death Penalty	Forty-First Meeting of the Central Committee. <a href="https://archive.org/details/fortyfirstmeeting00unse/page/58/mode/2up">https://archive.org/details/fortyfirstmeeting00unse/page/58/mode/2up</a>
1991: Feb.	7th WCC Assembly		CCIA Statement on the Indigenous People and Land Rights	The Churches in International Affairs: Reports 1991-1994, <a href="https://archive.org/details/wccciareports020/page/28/mode/2up">https://archive.org/details/wccciareports020/page/28/mode/2up</a>
1992: Mar.			WCC Appeal to the United Nations on Violence Against Women	The Churches in International Affairs: Reports 1991-1994, <a href="https://archive.org/details/wccciareports020/page/46/mode/2up">https://archive.org/details/wccciareports020/page/46/mode/2up</a>
1993: Jan.	Human Rights Advisory Group		Priorities in the Human Rights Work of the CCIA	
1995: 14-22 Sept.	WCC central committee		Ecumenical Policy: Memorandum and Recommendations on the occasion of the Fiftieth Anniversary of the United Nations	Forty-Sixth Meeting of the Central Committee, <a href="https://archive.org/details/fortysixthmeeting00unse/page/276/mode/2up?q=1995">https://archive.org/details/fortysixthmeeting00unse/page/276/mode/2up?q=1995</a>
1998; 23-27 June	International Ecumenical Consultation		Human Rights and the Churches: New Challenges	
2004: 11-15 May	CCIA, XLVI Meeting	Chavannes- de Bogis, Switzerland	Human Rights: One Step Forward, Two Steps Back	

Date	Event	Location	Title	Reference
2006: 16-19 May	WCC executive committee	Bossey, Switzerland	Statement on Human Rights Council	Minutes of the Meeting of the Executive Committee of the World Council of Churches, <a href="https://archive.org/details/minutesofmeeting00uns_c2b/page/20/mode/2up?q=2006">https://archive.org/details/minutesofmeeting00uns_c2b/page/20/mode/2up?q=2006</a>
2008: 23-26 Sept.	WCC executive committee	Lübeck, Germany	Statement on the 60th anniversary of the UN Universal Declaration of Human Rights	Minutes of the Meeting of the Executive Committee of the World Council of Churches, <a href="https://archive.org/details/minutesofmeeting00uns_dwb/page/12/mode/2up">https://archive.org/details/minutesofmeeting00uns_dwb/page/12/mode/2up</a>
2013: 30 Oct. – 8 Nov.	10th WCC Assembly	Busan, Republic of Korea	CCIA Statement on Issues of Justice	See Annex, <a href="https://www.oikoumene.org/news/issues-of-justice-in-focus-at-wcc-busan-assembly">https://www.oikoumene.org/news/issues-of-justice-in-focus-at-wcc-busan-assembly</a>
2015: 10 Dec.			WCC Statement on International Human Rights Day	<a href="https://www.oikoumene.org/resources/documents/human-rights-day-2015">https://www.oikoumene.org/resources/documents/human-rights-day-2015</a>
2018, 15-21 June	WCC central committee	Geneva, Switzerland	70th Anniversary of the Universal Declaration of Human Rights	<a href="https://www.oikoumene.org/sites/default/files/Document/GEN%20PUB%2005.03%20rev%2070th%20Anniversary%20of%20the%20Universal%20Declaration%20of%20Human%20Rights.pdf">https://www.oikoumene.org/sites/default/files/Document/GEN%20PUB%2005.03%20rev%2070th%20Anniversary%20of%20the%20Universal%20Declaration%20of%20Human%20Rights.pdf</a>

Date	Event	Location	Title	Reference
2021: 12-17 Nov. 2021	WCC executive committee	Online	Minute: CCIA 75th Anniversary	<a href="https://www.oikoumene.org/resources/documents/minute-on-ccia-75th-anniversary">https://www.oikoumene.org/resources/documents/minute-on-ccia-75th-anniversary</a>

## **5th WCC Assembly, Nairobi, November–December 1975**

### **The Right to Basic Guarantees for Life**

1. No rights are possible without the basic guarantees for life, including the right to work, to adequate food, to guaranteed health care, to decent housing and to education for the full development of the human potential. Because women have the lowest status in most world communities their special needs should be recognised.
2. The ever-widening gap between rich and poor nations and between rich and poor within many nations has created today a highly explosive situation in which millions are denied these rights. This is due to a number of contributing factors, including the following:
  - a. The present international economic structures are dominated by a few rich countries who control a large proportion of the world's resources and markets.
  - b. Transnational corporations, often in league with oppressive regimes, distort and exploit the economies of poor nations.
  - c. National economies are controlled in many cases by a small group of elites who also often give special access to transnational corporations.
  - d. Patterns of land ownership are often exploitative.
3. The right to the basic guarantees for life involves guarding the lives of future generations, e.g., through protection of the environment and conservation of the earth's resources.

## **The Rights to Self-Determination and to Cultural Identity and the Rights of Minorities**

1. All people have the right freely to determine their political status and freely to pursue their economic, cultural, and social development. These rights are often violated by foreign governments and power systems, and through internal oppression and discrimination.

2. The Churches should condemn such violations and take active part in efforts to ensure national sovereignty and self-determination for people who are deprived of them.

3. The Churches must also defend and promote the rights of minorities (including that of migrant workers), be they cultural, linguistic, religious, ideological, or ethnic. Efforts to ensure that the Helsinki declaration be implemented could be of great importance in this context, especially for minorities in countries who have signed it.

4. The Churches must closely scrutinize the reasoning of people in power when they seek to justify the violation of human rights for what they deemed to be overriding concerns. Even in time of public emergency, fundamental rights such as the right to life and personal dignity, as defined by the Universal Declaration of Human Rights and the Covenants should under no circumstances be derogated from.

## **The Right to Participate in Decision-Making within the Community**

1. Participation of groups and individuals in the decision-making processes of various communities in which they live is essentially for achieving a truly democratic society. As a precondition, there must be created an economic and social foundation which is in the interest of all segments of society. All members of the community, especially the young and women, should be educated in a spirit of social and political participation and responsibility. The structure of government on the national and local levels, within the religious communities, educational institutions, and employment, must become more responsive to the will of all the persons belonging to these various communities, and must provide for protection against manipulation by powerful interests

2. Women, because of their particular experience of oppression and the new

insights they are receiving in the process of liberation, can often make a special contribution regarding participatory decision-making. They are exploring styles of shared leadership in which power and decision-making is horizontal rather than hierarchical, fluid rather than static. The Church, like the Community needs to receive this contribution, if it is to develop unifying and freeing structures.

3. Churches should participate in developing activities through which local communities of poor people, industrial and rural workers, women, minority groups, and others who suffer from any form of oppression can become aware of their condition and influence the course of the society.

### **The Right to Dissent**

1. The right to dissent preserves a community or system from authoritarian rigidity. It is essential to the vitality of every society that the voices of dissenters be heard and that their right to hold opinions without interference, to freedom of expression, and to peaceful assembly be guaranteed. Christians, as followers of Jesus Christ, have a solidarity with the people who suffer because of their religious faith and practice and because of their stand in favour of political and social justice. Christian solidarity means a definite choice on the side of prisoners of conscience and political prisoners and refugees. The Churches should make all efforts in their witness and intercessions, and by providing remedial assistance to support those fellow beings who suffer.
2. In readiness to reassess and to change their own structures and attitudes wherever necessary, the Churches and the World Council of Churches itself must give all due attention within the communities to men, women and young people who take a critical stand towards the predominant views and positions of their churches and of the World Council of Churches.

### **The Right to Personal Dignity**

1. In many countries represented in this section evidence has been [cited] of gross violations of the right to personal dignity. Such violations include arbitrary arrest and imprisonment, torture, rape, deportation, child battering, enforced hospitalization in mental hospitals. Threats to families and denial of habeas-corpus. In some cases, prisoners and refugees are denied contact even with their families thus becoming “non-persons.” In other cases, arrested persons either disappear or are executed

summarily.

2. The basic causes for these violations are to be found in the unjust social order, the abuse of power, the lack of economic development and in unequal development. This leads to violations of unjust laws and rebellion by the dispossessed, to which political and military forces of “law and order” respond with cruel repression. In some cases, the Churches themselves have actively supported the oppressors or even become involved in the oppression itself, out of misguided convictions and / or attempts to safeguard their own privileges.
3. We also observe the increasing role both nationally and internationally, of security police and para-police forces in the violation of human right to personal dignity.

## **The Right to Religious Freedom**

1. The right to religious freedom has been and continues to be a major concern of member Churches and the WCC. However, this right should never be seen as belonging exclusively to the Church. The exercise of religious freedom has not always reflected the great diversity of convictions that exist in the world. The right is inseparable from other fundamental human rights. No religious community should plead for its own religious liberty without active respect and reverence for the faith and basic human rights of others.
2. Religious liberty should never be used to claim privileges. For the Church this right is essential so that it can fulfil its responsibility which arise[s] out of the Christian faith. Central to these responsibilities is the obligation to serve the whole community.
3. The right to religious freedom has been enshrined in most constitutions as the basic human right. By religious freedom we mean the freedom to have or to adopt a religion of belief of one’s choice and freedom, either individually or in community with others and in public or private, to manifest one’s religion or belief in worship, observance, practice and teaching. Religious freedom should also include the right and duty of religious bodies to criticise the ruling powers when necessary, on the basis of their religious convictions. In this context it was noted that many Christians in different parts of the world are in prison for reason of conscience or for political reasons as a result of their seeking to respond to the total demands of the gospel.



## **Sexism**

1. For the sake of the unity of the Church and humankind, the concerns of women must be consciously included in every aspect of the deliberations of the WCC. The liberation of women from structures of injustice must be taken seriously as seen in the light of the liberation of all oppressed people and all forms of discrimination.

## **World Convocation on Justice, Peace and Integrity of Creation, Seoul, Korea, 5-12 March 1990**

### **Now is the Time. Final Document & Other Texts, pp. 12–21**

#### **Affirmation that All Exercise of Power Is Accountable to God (Page 12)**

We believe that the world belongs to God. Therefore, all forms of human power and exercise of authority should serve God's purpose in the world and are answerable to the people on whose behalf they are exercised. Those who wield power – economic, political, military, social, scientific, cultural, legal, religious – must be stewards of God's justice and peace. . .

Therefore, we affirm that all forms of human power and authority are subjected to God and accountable to people. This means the right of people to full participation. In Christ God decisively revealed the meaning of power as compassionate love that prevails over the forces of death.

We will resist any exercise of power and authority which tries to monopolize power and so prohibits processes of transformation towards justice, peace and integrity of creation.

We commit ourselves to support the constructive power of people's movement in their struggle for human dignity and liberation as well as in achieving just and participatory forms of government and economic structures.

#### **Affirmation of God's Option for the Poor (Page 13)**

We affirm God's preferential option for the poor and state that as Christians our duty is to embrace God's action in the struggle of the poor in the liberation of us all.

We will resist all forces, policies and institutions which create and perpetuate poverty or accept it as inevitable and ineradicable.

We commit ourselves to be allies of those organizations and efforts which are dedicated to achieving the eradication of exploitation and oppression.

## **Affirmation for Equal Value of All Races and People (Page 14)**

We reject the perversion of the language of human and people's rights to assert so called "group rights", an assertion which is divisive and seeks not to liberate but to preserve economic exploitation and political privilege by powerful minorities.

We affirm that people of every race, caste and ethnic group are equal value. In the very diversity of their cultures and traditions, they reflect the rich plurality of God's creation.

We resist the denial of the rights of human beings who are members of exploited and oppressed racial, ethnic, caste or indigenous groups. We will resist attempts by dominant cultures and groups to deprive them of their cultural identity, full citizenship and equal access to economic, social, political and ecclesial power. We will resist the oppression and exploitation of women and children belonging to those oppressed groups. They are the ones who are the most painfully affected.

We commit ourselves to work against the forces of racism, ethnicism and casteism and to stand in solidarity with their victims and their struggles.

## **Affirmation that Male and Female are Created in the Image of God (Page 15)**

We affirm creative power given to women to stand for life wherever there is death. In Jesus' community women find acceptance and dignity and with them he shared the imperative to carry the good news.

We will resist structures of patriarchy which perpetuate violence against women in their homes and in a society, which has exploited their labor and sexuality. Within this we pay special attention to the most vulnerable women – those who are poor and / or black, Dalits, members of indigenous communities, refugees, migrant workers and women of other oppressed groups. We will resist all structures of dominance which exclude the theological and spiritual contributions of women and deny their participation

in decision-making processes in church and society. Therefore, encouraged by persistence of women in their struggles for life, all over the world, we commit ourselves to seek ways of realizing a new community of women and men.

### **Affirmation of Truth as Foundation of a Community of Free People (Page 16)**

We affirm that access to truth and education, information, and means of communication are basic human rights. All people have the right to be educated, to tell their own stories, to speak their own conviction and beliefs, to be heard by others and to have the power to distinguish truth from falsehood.

We will resist policies that deny freedom of expression, that encourage the concentration of the communication media in the hands of the states or of economically powerful monopolies; that tolerate the spread of consumerism, racism, casteism, sexism, chauvinism in all its forms, religious intolerance, and disposition to violence, and that acquiesce in increasing illiteracy and reducing educational facilities in many countries. All this applies to every section of church and society.

We commit ourselves to create means by which the neglected and vulnerable may learn and the silenced may make themselves heard. We will seek to ensure that the truth, including the word of God and accurate representation of other faiths, is communicated through modern media in imaginative, prophetic, liberating and respectful ways.

### **Affirmation of Peace of Jesus Christ (Page 17)**

There can be no peace without justice. Such a peace cannot be obtained or guaranteed through narrowly perceptions of national security, for peace is indivisible.

We therefore affirm the full meaning of God's peace. We are called to seek every possible means of establishing justice, achieving peace, and solving conflict by active non-violence.

We will resist doctrine and systems of security based on the use of, and deterrence by all weapon[s] of mass destruction, and military invasion, interventions, and occupations. We will resist doctrines of national security which are aimed at control and suppression of the people in order to protect the privilege of the few.

We commit ourselves to practice non-violence in all our personal relationship[s], to work for the banning of war as a legally recognized means of resolving conflicts, and to press government[s] for the establishment of an international legal order of peace-making.

### **Affirmation on Creation as Beloved of God (Page 18)**

Biblical statements, such as “to have dominion” and “subdue the earth” have [been] misused through the centuries to justify destructive action actions towards the created order. As we repent of violation, we accept the biblical teaching that people created in the image of God, have a special responsibility as servants in reflecting God’s creating and sustaining love to care for creation and to live in harmony with it.

We affirm that the world, as God’s hand[i]work, has its own inherent integrity, that land, water, air, forests, mountains and all creatures, including humanity are good in God’s sight. The integrity of creation has a social aspect which we recognize as peace with justice, as an ecological aspect which we recognize in the self-renewing, sustainable character of natural ecosystems.

We will resist the claim that anything in creation is merely a resource for human exploitation. We will resist species extinction for human benefits, consumerism and harmful mass production, pollution of land, air and water; all human activities which are now leading to probable rapid climate change; and policies and plans which contribute to disintegration of creation.

Therefore we commit ourselves to be members of both the living community of creation in which we are but one species, and members of the covenant community of Christ; to be full co-worker[s] with God, with moral responsibility to respect the rights of future generations; and to conserve and work for integrity of creation – both its inherent value to God and in order that justice may be achieved and sustained.

### **We Affirm that the Earth Is the Lord’s (Page 19)**

The land and the water provide life to people – indeed, to all that lives – now and for the future. But millions are deprived of land and suffer from the contamination of water. Their cultures, their spirituality and their lives are destroyed.

We affirm that the land belongs to God. Humans use the land and water should release the earth to regularly replenish its life-giving power, protecting it[s] integrity and providing spaces for its creatures.

We will resist any policy that treats land merely as a marketable commodity; that allow[s] speculation at the expense of the poor; that dumps poisonous wastes into the land and waters, that promotes the exploitation, unequal distribution or contamination of the land and its products; and that prevents those who live directly from the land from being its real trustees.

We commit ourselves to join in solidarity with indigenous communities struggling for their cultures, spirituality, and rights to land and sea; to be in solidarity with peasants, poor farmers and seasonal agricultural workers seeking land reform; and to have reverence for the ecological space of other living creatures.

### **Affirmation of Dignity and Commitment of the Younger Generation (Page 20)**

We affirm the dignity of children which derives from their vulnerability and need for nurturing love.

We affirm the creative and sacrificial role that the young people are playing in building a new society, recognizing their rights to have a prophetic voice in the structures that affect their life and their community.

We affirm the rights and needs of the younger generation as basic for establishing educational and developmental priorities.

We will resist any policy or authority which violates the rights of the younger generation, and which abuses and exploits them. The human right of conscientious objection [is to] be fully respected.

We commit ourselves to our responsibility to support young people in their struggle for self-actualization, participation and a life of hope and faith, and to create conditions which enable all children to live in dignity, and where old and young share experiences and learn from each other.

### **We Affirm Human Right Are Given by God (Page 21)**

We affirm that human rights are God-given and that their promotion and protection are essential for freedom, justice and peace. To protect and defend human rights an independent judicial system is necessary.

We will resist all structures and systems that violate human rights and deny the opportunity for the realization of the full potential of individuals and peoples. We will resist torture, disappearance, and extra-judicial executions and the death penalty.

We commit ourselves to actions of solidarity with organizations and movement[s] working for the promotion and protection of human rights; we will work for the acceptance and full implementation of human rights standards through effective instruments.

We further commit ourselves to work towards the full social integration of persons with disabilities into our communities through all possible means, including the removal of economic, religious, social and cultural barriers (particularly ensuring access to buildings, documentation and information) which prevent them from fully participating in our communities.

## **Statement on Indigenous People and Land Rights 7th Assembly of the World Council of Churches, Canberra, February 1991**

The Assembly acknowledged the immense profit and privilege which often accrued to the Churches when early missionary undertakings accompanied the exploitation of indigenous people and noted that Churches have also been a prophetic voice seeking justice for the indigenous communities. It urged the WCC to continue to work with indigenous people to ensure that issues identified by them, their communities and organizations will be heard and acted upon. Working towards the goal of justice through sovereignty, self-determination, and land rights of indigenous people the Assembly called upon member churches to move beyond words to action specifically:

- a) to negotiate with indigenous people to ascertain how lands taken unjustly by Churches from indigenous people can be returned to them;
- b) to recognise, acknowledge and vigorously support self determination and sovereignty of indigenous people, as defined by them, in church and society.
- c) to use their influence with governments and international bodies in actively seeking the goal of justice through sovereignty and self-determination of indigenous people;
- d) to declare the year 1992, the quincentenary of the arrival of Columbus in the western hemisphere, a year against racism with specific focus on indigenous and black peoples who in this year will mark five hundred years of genocide, land theft, slavery and oppression. We call upon the international religious community and governments to resist participating in activities celebrating 1992 designed without input from

- indigenous people and to join with indigenous people in any celebration or commemorations they plan;
- e) to oppose continuing and now increasing (justified by war in the Gulf) exploitation of indigenous peoples, land and mineral resources;
  - f) to protect burial grounds and sacred sites of indigenous peoples from desecration and destruction and to work toward the return of ancestral remains, artifacts, sacred objects and other items belonging to indigenous peoples;
  - g) to protect freedom of indigenous peoples to practice their traditional religions.

### **WCC Appeal to the United Nations on Violence Against Women: March 1992**

The rights of women have not received as much attention from the churches as it should have. Arguments of culture, tradition, heritage and religion have often been evoked to deny women a life of dignity. Women are victims of many kinds of violence such as wife battering, sexual assault, female infanticide, 'honor killings,' 'dowry deaths,' and rape. In recent times, mass rapes of women by warring factions in countries at war have become a matter of common occurrence e.g. former Yugoslavia, Afghanistan, Burma and others. The international community needs to take immediate stringent steps to put an end to this reprehensible practice. This can be done by constituting International Penal Courts or War Crimes Tribunals to bring the offenders to justice.

The World Council of Churches has a Programme Unit on Women that specifically deals with issues affecting the lives of women. In March 1992, the World Council of Churches made the following appeal to the Secretary General of the United Nations, on the issue of violence against women. The text of that appeal appears below:

Violence against women is on the increase all over the world. This violence ranges from economic, social and political discrimination and sexual harassment to rape, wife murder, and other forms of cruel, inhuman and degrading treatment.

Women everywhere are calling on governments, judicial systems, social service systems, religious and other institutions to respond with concrete actions to ensure the basic rights of women and

children to security and integrity of the person. While many countries have introduced legislation to protect victims of violence, legal remedies have proved inadequate to the challenges provided by the intensification of violence against women in the last decade.

In various international fora women are urging the United Nations to recognize that violence against women constitutes the violation of the basic human rights of half of the world's population. As Christians we support these initiatives, guided by the firm conviction that all human beings are made in the image of God and deserve protection and care.

We respectfully submit that the issue of violence against women be made a priority for the agenda of the 1993 World Conference on Human Rights. We therefore request a full discussion and treatment of this issue at the April 1992 Preparatory Committee in Geneva.

## **8th Assembly of the World Council of Churches, Harare, Zimbabwe, 3-14 December 1998: Together on the Way: A Statement on Human Rights**

### *Introduction*

The World Council of Churches has a long history of involvement in the development of international norms and standards, and in the struggle for advancement of human rights. Through its Commission of the Churches on International Affairs, the Council participated in the drafting of the United Nations Declaration on Human Rights, and contributed the text of article 18 on freedom of thought, conscience and religion. The WCC has since been active in promoting the Declaration's implementation.

In preparation for its fifth assembly, the WCC engaged in a global process of consultation to review its fundamental policy on human rights. That review led to a consultation on "Human Rights and Christian Responsibility" in St Pöten, Austria, 1974, which provided guidelines for the policy statement adopted in Nairobi, 1975, placed human rights at the centre of struggles for liberation from poverty, colonial rule, institutionalized racism and military dictatorships, and formulated a comprehensive new ecumenical agenda for action on human rights.



Churches in many parts of the world took up the Nairobi assembly's challenge, addressing human-rights needs in their respective societies more intentionally, engaging often at great risk in costly struggles for human rights under military dictatorships, establishing a global ecumenical network of human-rights solidarity and new forms of active cooperation with the United Nations' Commission on Human Rights and other national and international human-rights organizations. These strategies significantly increased the effectiveness of the ecumenical witness on human rights and had a substantial impact on the development of new international standards.

Anticipating the eighth assembly, the WCC central committee in 1993 called for a new global review of ecumenical human-rights policy and practice to draw lessons from two decades of intensive engagement, to assess emerging challenges arising from the radical changes which had occurred in the world since the Nairobi assembly, and as a means to stimulate new action in churches where human rights had been given a lower priority. Regional consultations and seminars were held, and their reports were drawn together by an international consultation on "Human Rights and the Churches: New Challenges" in Morges, Switzerland, June 1998.

Previous assemblies and ecumenical consultations have developed a theological basis for the churches' engagement in the promotion and defence of human rights:

As Christians, we are called to share in God's mission of justice, peace and respect for all creation and to seek for all humanity the abundant life which God intends. Within scripture, through tradition, and from the many ways in which the spirit illumines our hearts today, we discern God's gift of dignity for each person and their inherent right to acceptance and participation within the community. From this flows the responsibility of the Church, as the body of Christ, to work for universal respect and implementation of human rights. (Consultation on Human Rights and the Churches: New Challenges, Morges, Switzerland, June 1998)

Our concern for human rights is based on our conviction that God wills a society in which all can exercise full human rights. All human beings are created in the image of God, equal, and infinitely precious in God's sight and ours. Jesus Christ has bound us to one another by his life, death and resurrection, so that what concerns one concerns us all. (Fifth assembly, Nairobi, 1975)

All human beings, regardless of race, sex or belief, have been created by God as individuals and in the human community. Yet, the world has been corrupted by sin, which results in the destruction of human relationships. In reconciling human kind and creation with God, Jesus Christ has also reconciled human beings with each other. Love of our neighbour is the essence of obedience to God. (Sixth assembly, Vancouver, 1983)

The spirit of freedom and truth moves us to witness to the justice of the kingdom of God and to resist injustice in the world. We manifest the life of the Spirit by striving for the release of those who are captive to sin by standing with the oppressed in their struggle for liberation, justice and peace. Liberated by the Spirit, we are empowered to understand the world from the perspective of the poor and vulnerable and to give ourselves to mission, service and the sharing of resources. (Seventh assembly, Canberra, 1991)

The 8th Assembly of the World Council of Churches, meeting in Harare, Zimbabwe, 3-14 December 1998 therefore adopts the following statement on human rights:

1. We **give thanks** to God for the gift of life and for the dignity God has bestowed on all in creation.

## **2. Costly witness**

- 2.1. We recall the engagements and achievements of the churches, ecumenical bodies, and of human-rights defence groups to uphold the sanctity of life, and especially for the costly witness of those who suffered and lost their lives in this struggle.

- 2.2. The theme of this assembly, “Turn to God – Rejoice in Hope”, reinforces our belief in the three-fold structure of Christian faith and life: God turns to us in grace; we respond in faith, acting in love; and we anticipate the coming, final fullness of God’s presence in all of creation. We have newly experienced God’s call to jubilee, and this leads us to reaffirm our commitment to human rights, to the dignity and worth of the human person created in God’s image and infinitely precious in God’s sight, and to the equal rights of women and men, of young and old, of all nations and peoples. Deep theological, liturgical and mystical experience of the broad family of Christian traditions teaches us to develop understanding of human rights and freedom in the spirit of faithfulness to God and responsibility before and for the people of God.

2.3. This we do in a spirit of repentance and humility. We are aware of the many shortcomings of the churches' actions for human rights; of our unwillingness or inability to act when people were threatened or suffered; of our failure to stand up for people who have experienced violence and discrimination; of our complicity with the principalities, powers and structures of our time responsible for massive violations of human rights; and of the withdrawal of many churches from work on human rights as a priority of Christian witness. We ask for God to empower us to face the new challenges.

### **3. Facing the new challenges**

3.1. We thank God for the substantial improvements in international standards achieved since the WCC fifth assembly (1975) in such areas as the rights of the child, of women, of Indigenous Peoples, of minorities, of the uprooted; against discrimination, racial violence, persecution, torture, violence against women, including rape as a weapon of war, forced disappearance, extra-judicial executions and the death penalty; in developing new, "third-generation" rights to peace, development, and sustainable communities; and the new recognition of human rights as a component of peace and conflict resolution. In spite of these provisions, major obstacles still exist, hampering the implementation of human-rights standards.

3.2. We recognize the vital importance of the international norms, but we reiterate the conviction of the WCC sixth assembly (1983) that the most pressing need is for the implementation of these standards. Therefore once again, we urge governments to ratify international covenants and conventions on human rights, to include their provisions in national and regional legal standards, and to develop effective mechanisms to implement them at all levels. At the same time we call upon the churches to overcome exclusion and marginalization in their own midst and to provide for full participation in their lives and governance.

3.3. ***Globalization and human rights.*** This assembly has addressed the pressing new challenges to human rights of peoples, communities and individuals resulting from globalization of the economy, culture and means of communication, including the erosion of the power of the state to defend the rights of persons and groups under its jurisdiction, and the weakening of the authority of the United Nations as a guarantor and promoter of collective approaches to human rights. Globalization

threatens the destruction of human community through economic, racial and other forms of exploitation and repression; and to weaken national sovereignty and peoples' right to self-determination. It preys especially on the most vulnerable members of society. Children's rights are often the first to suffer, as seen in the proliferation today of child labourers and the sexual exploitation of minors.

3.4. Globalization also has within it elements which, if effectively used, can counteract its worst effects and provide new opportunities in many spheres of human experience. We urge churches to encourage and participate in strengthened global alliances of people joined in the struggle for human rights as a way to resist and counter the negative trends of globalization. The right of workers to form trade unions, to collective bargaining and to withhold their labour in defence of their interests must be fully guaranteed. Through such means people can forge a future based on respect for human rights, international law and democratic participation.

3.5. ***The indivisibility of human rights.*** The process of globalization has once again re-emphasized civil and political rights, dividing them from economic, social and cultural rights. We reaffirm the position taken by the WCC fifth assembly that human rights are indivisible. No rights are possible without the basic guarantees for life, including the right to work, to participate in decision-making, to adequate food, to health care, to decent housing, to education for the full development of the human potential, and to a safe environment and the conservation of the earth's resources. At the same time, we reiterate our conviction that the effectiveness of work for collective human rights is to be measured in terms of the relief it gives both to communities and to individual victims of violations, and of the measure of freedom and improvement of the quality of life it offers every person.

3.6. ***The politicization of human rights.*** We deplore the re-politicization of the international human-rights discourse, especially by the dominant major powers. This practice, common in the East-West confrontation during the cold war, has now extended to engage nations in a global "clash of cultures" between North and South and between East and West. It is marked by selective indignation, and the application of double standards which denigrate the fundamental principles of human rights and threaten the competence, neutrality and credibility of international bodies created under the UN Charter to enforce agreed standards.

- 3.7. ***The universality of human rights.*** We reaffirm the universality of human rights as enunciated in the International Bill of Human Rights and the duty of all states, irrespective of national culture or economic and political system, to promote and defend them. These rights are rooted in the histories of many cultures, religion, and traditions, not just those whose role in the UN was dominant when the Universal Declaration was adopted. We recognize that this declaration was accepted as a “standard of achievement”, and the application of its principles needs to take into account different historical, cultural and economic contexts. At the same time we reject any attempt by states, national or ethnic groups, to justify the abrogation of, or derogation from, the full range of human rights on the basis of culture, religion, tradition, special socio-economic or security interests.
- 3.8. ***Global ethics and values related to human rights.*** Reaffirming our stance that the church cannot surrender the values of the gospel to the ambiguities of progress and technology, we welcome the renewed calls from humanistic and religious circles for the elaboration of shared global principles of social ethics and values. Shared principles must be based on a diversity of experiences and convictions that transcend religious beliefs and work towards a greater solidarity for justice and peace.
- 3.9. ***Human rights and human accountability.*** We reaffirm the right and duty of the international community to hold all state and non-state actors accountable for violations of human rights which occur within their jurisdiction or control, or for which they are directly responsible. Corrupt practices are a major evil in our societies. We uphold the right of every person to be protected under the law against corrupt practices. We reiterate our appeal for governments and non-governmental bodies to exercise objectivity in addressing human-rights concerns, to promote and utilize improved international procedures and multilateral mechanisms for promotion and protection of human rights, and where possible, to pursue a non-confrontational, dialogical approach to the universal realization of human rights.
- 3.10. ***Impunity for violations of human rights.*** An essential part of post-conflict healing is the pursuit of truth, justice for victims, forgiveness and reconciliation in societies which have suffered systematic violations of human rights. We support the efforts of churches and human-rights groups in such societies in their struggle to overcome impunity for past crimes whose authors have been given official protection from

prosecution. Impunity perpetuates injustice, which in turn generates acts of revenge and endless violence, to the extent of genocide, as we have experienced on different occasions throughout this century.

- 3.11. We support and encourage the churches to engage in further theological reflection and action on the relationship between truth, justice, reconciliation, and forgiveness from the perspective of the victims, and to endeavour to replace cultures of impunity with cultures of accountability and justice. Justice for victims must include provisions for reparation, restitution, and for compensation for their losses. In this connection we welcome the agreement to establish the International Criminal Court, which should help the international community in its enforcement of human rights. We urge the churches to promote their governments' prompt ratification of the Rome agreement, and to incorporate acceptance of its jurisdiction in national legislation.
- 3.12. ***Elimination of the death penalty.*** The WCC has long stood against the use of the death penalty, but recourse to this ultimate form of punishment is often sought by victims in societies ridden by crime and violence. The churches have a responsibility to inform society at large of the alternatives to such harsh and irreversible penalties, such as rehabilitation of offenders, and of the need for strict adherence to the international rule of law and international human-rights standards related to the treatment of offenders.
- 3.13. ***Human rights and peace-making.*** Human rights are the essential basis for a just and durable peace. Failure to respect them often leads to conflict and warfare, and several times during this century it has led to genocide as a result of uncontrolled ethnic, racial or religious hatred. The international community has time and again shown itself incapable of stopping genocide once it has begun. There is an urgent need to learn the lessons of the past, and to set up mechanisms of early intervention when the danger signs appear. The churches are often most well placed to see the impending danger, but they can only help when they themselves are inclusive communities responding to the gospel message of love for one's neighbour, even when the neighbour is one's enemy.
- 3.14. The inclusion of human rights in efforts to prevent or resolve conflict through peace missions, under UN and other multilateral auspices, is a welcome development. Once conflict has been brought to an end, social and legal structures should be reformed to promote pluralism

and peace-building measures among the people. Peace agreements themselves should incorporate standards of international human rights and humanitarian law and their application to such special groups as military forces, law enforcement personnel and security forces should be ensured.

- 3.15. ***Human rights and human responsibility.*** Human rights and human responsibility go together. The second WCC assembly, Evanston, 1954, stated that God's love for humans "lays upon the Christian conscience a special measure of responsibility for the care of those who are victims of world disorder".
- 3.16. The first obligation of churches and others concerned about human rights, including states, is to address violations and to improve protections in their own societies. This is the fundamental basis of ecumenical solidarity which moves beyond one's own situation to offer active support for churches and others engaged in the struggle for human rights in their own countries and regions. An essential form of support is to address the root causes of violations which reside in unjust national and international structures or result from external support for repressive regimes.
- 3.17. ***Religious intolerance.*** Religion, in our contemporary world, increasingly influences socio-political processes. Many churches actively participate in peace-making activities and calls for justice, bringing a moral dimension to politics. Yet, religion has also become a major contributor to repression and human-rights violations, both within and between nations. Religious symbols and idioms have been manipulated to promote narrow nationalist and sectarian interests and objectives, creating divisions and polarized societies. Powers increasingly tend to appeal to churches and other religious groups to support narrow national, racial or ethnic aims, and to support discriminatory legislation which formalizes religious intolerance. We urge the churches, once again, to give evidence of the universality of the gospel, and to provide a model of tolerance to their own societies and to the world. Religion can and must be a positive force for justice, harmony, peace and reconciliation in human society.
- 3.18. ***Religious freedom as a human right.*** We reaffirm the centrality of religious freedom as a fundamental human right. By religious freedom we mean the freedom to have or to adopt a religion or belief of one's

choice and freedom, either individually or in community with others, and in public or private to manifest one's religion or belief in worship, observance, practice and teaching.

- 3.19. This right should never be seen as belonging exclusively to the church. The right to religious liberty is inseparable from other fundamental human rights. No religious community should plead for its own religious liberty without active respect for the faith and basic human rights of others. Religious liberty should never be used to claim privileges. For the church this right is essential so that it can fulfill its responsibility which arises out of the Christian faith. Central to these responsibilities is the obligation to serve the whole community. Religious freedom should also include the right and duty of religious bodies to criticize and confront the ruling powers when necessary on the basis of their religious convictions.
- 3.20. **Religious intolerance and persecution** is widespread today, causing serious violations of human rights, and often leading to conflict and massive human suffering. Churches must offer prayers and solidarity in all practical ways to Christians and all other victims of religious persecution.
- 3.21. **Religious freedom and proselytism.** There can be no derogation from the fundamental human right to religious freedom, but neither is religion a "commodity" to be regulated according to the rules of an unrestricted free market. We affirm the necessity of ecumenical discipline, particularly with reference to countries in difficult transition to democracy, as they experience the invasion of exogenous religious movements and proselytism. We reiterate the opposition of the WCC to the practice of proselytism, and urge member churches to respect the faith and the integrity of sister churches, and to strengthen them in ecumenical fellowship.
- 3.22. **The rights of women.** Despite the persistent work by national, regional and international women's groups and churches, especially during the Ecumenical Decade of Churches in Solidarity with Women, progress towards effective protection of women's human rights is slow and often inadequate, both within and outside the churches. The defence and promotion of women's rights is not a matter for women alone, but continually requires the active participation of the whole church.



- 3.23. We affirm that **women's rights are human rights**, based on our firm conviction that all human beings are made in the image of God and deserve equal rights, protection and care. Aware that violence against women is on the increase all over the world and ranges from racial, economic, cultural, social and political discrimination and sexual harassment, to genital mutilation, rape, trafficking and other inhuman treatment, we call on governments, judicial systems, religious and other institutions to respond with concrete actions to ensure the basic rights of women. The proposed Optional Protocol to the UN Convention on the Elimination of All Forms of Discrimination against Women would provide a mechanism, at the international level, where individual complaints of women's human-rights violations could be received. We urge churches to press their governments for ratification of the protocol.
- 3.24. **The rights of uprooted people.** Among the chief victims of economic globalization and of the proliferation of conflicts around the world today are the uprooted: refugees, migrants and the internally displaced. The WCC and its member churches have long been at the forefront of advocacy for improved international standards for the protection of the human rights of refugees, asylum-seekers and migrants, and should continue to share resources and to provide global, regional and local networking to show vital solidarity. We urge the churches to continue their cooperation with the UN High Commissioner for Refugees, and to seek further improvements in international standards and their implementation, particularly in respect of the protection of the rights of internally displaced persons, where few enforceable norms currently exist.
- 3.25. We welcome the launching of the global campaign for entry into force of the International Convention on the Protection of Rights for All Migrant Workers and Members of their Families, and urge the churches to participate in advocacy with their governments for ratification of the convention.
- 3.26. **Rights of Indigenous Peoples.** We urge the churches to support Indigenous Peoples' right to self-determination with regard to their political and economic future, culture, land rights, spirituality, language, tradition and forms of organization, and to the protection of Indigenous Peoples' knowledge including intellectual property rights.

- 3.27. ***Racism as a violation of human rights.*** We acknowledge that racism is a violation of human rights, and recommit ourselves to the struggle to combat racism both individually and institutionally. We urge member churches to strengthen their efforts to remove the scourge of racism from church and society.
- 3.28. ***Rights of people with disabilities.*** We reaffirm the right of persons who have special needs because of physical or mental disabilities to equal opportunity in all aspects of the life and service of the church. The cause of such persons is a human-rights issue and should not be understated as charity or a social or health problem, as has often been done. All members and leaders of the churches should respect fully the human rights of persons living with disabilities. This includes full integration into religious activities at all levels and the eradication of physical and psychological barriers which block the way to righteous living. Governments at all levels must also eliminate all barriers to free access and full participation of people with disabilities to public facilities and public life. We welcome the creation of the new network of ecumenical disability advocates and encourage churches to support it.
- 3.29. ***Interfaith cooperation for human rights.*** Violations of human rights and injustice cannot be resolved by Christians alone. Collective interfaith efforts are needed to explore shared or complementary spiritual values and traditions that transcend religious and cultural boundaries in the interests of justice and peace in society. We welcome the progress made by the WCC to pursue such a path through interfaith dialogue in a way which respects the specificity of the Christian witness for human rights and encourages the churches, each in their own place, to continue and deepen interfaith dialogue and cooperation for the promotion and protection of human rights.

#### **4. Safeguarding the rights of future generations.**

Out of concern for the future of all creation, we call for the improvement of international norms and standards with regard to the rights of future generations.

- 4.1. ***Human-rights education.*** Churches have more often reacted to the situations of human-rights violations than to be pro-active agents of prevention. We urge the churches to engage more emphatically in preventive measures by initiating and implementing formal and

systematic programmes of awareness-building and human-rights education.

- 4.2. ***Peace-building and Human-rights.*** Similarly, we urge churches to participate in processes of peace-building through public monitoring, discernment of early signs of violations of human rights and by addressing the root causes.
- 4.3. ***The future.*** Central to the WCC's recommitment to the Universal Declaration of Human Rights is a vision of sustainable communities, of a just, moral and ecologically responsible economy. As we look to the future, we recognize that the accomplishment of human rights is only possible through accepting our God-given responsibility to care for one another and the totality of God's creation (Ps. 24).
- 4.4. We affirm the emphasis of the gospel on the value of all human beings in the sight of God, on the atoning and redeeming work of Christ that has given every person true dignity, on love as the motive for action, and on love for one's neighbour as the practical expression of active faith in Christ. We are members one of another, and when one suffers all are hurt. This is the responsibility Christians bear to ensure the human rights of every person.

## Contributors

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## Strengthening Christian Perspectives on Human Dignity and Human Rights

Given renewed conflicts and widening divisions, and with human rights having all too frequently been misused for political purposes or applied unequally, international human rights law—and its foundational principles—has come under increasing attack. At the same time, different perspectives on the relationship between Christian ethics and international human rights law have become increasingly evident in the ecumenical movement.

The World Council of Churches, together with the Protestant Church in Germany and the United Evangelical Mission, recognized the need for a process of ecumenical study and reflection on the relationship between human dignity and human rights from biblical, theological, and victims' perspectives. This two-year process culminated in a Conference on Christian Perspectives on Human Dignity and Human Rights held in Wuppertal (Germany) and online from 9–12 April 2022. The rich contributions of papers received from theologians, people with different academic backgrounds, experts in ethics and human rights, and human rights defenders—together with the joint message of the participants of the Wuppertal Conference—are made available in this publication.



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