

Human Rights and the Churches: Christian Conceptions of Human Rights¹

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Introduction

Human rights specialists speak of three generations or dimensions of human rights. The first includes the classic individual and political freedoms. The second contains economic, social and cultural rights. The first category has in particular the support of the Western nations while the second has been supported by the Soviet bloc states. The third generation includes the rights to life and survival and is supported particularly by nations in the Third World. To this last group of rights, also belong the claims which nature makes upon human beings.

The tension between capitalism and communism during the Cold War was shown in the fact that the protagonists emphasised different aspects of human rights. Individual rights dominated the picture during the first decades after the Second World War but they were eventually counterbalanced by social rights. This polarisation between the two main types of human rights ceased with the collapse of Soviet communism in 1991.

However the conflict between North and South remained and was shown *inter alia* in different aspects of human rights being emphasised. Ecological rights continued to retain a distinguish-

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ing effect. Interest in an unpolluted environment was greater in the developed countries of the West than in the former states of the Soviet bloc and in the Third World. In these latter countries, greater priority was given to more immediate and tangible problems than the crude exploitation of nature's limited resources. The shift within the World Council of Churches from the responsible society and the responsible world society, both of which were established on the basis of freedom and justice to a just, participatory and sustainable society which had justice as its central principle, corresponded to the shift from individual rights, which place the freedom of the individual at the centre, to social rights and the right to life, both of which are based upon justice. The slogan of the World Council of Churches - justice, peace and the integrity of creation - completes the picture by not only urging the principle of justice but also the demand for ecological rights.

The Churches issued no common declaration of human rights in the years 1945-1995 which is the period analysed in the present enquiry. On the other hand, they produced important contributions which could be used for constructing such a declaration: the St Pölten consultation of 1974; the statement of the Pontifical Commission *Justitia et Pax The Church and human rights* of 1975 ; the statement from the World Alliance of Reformed Churches, *The theological basis of human rights* of 1976 ; and the statement of the Lutheran World Federation *Theological perspective on human rights* of 1976.

As to the question whether the Church bodies which have been studied responded to new developments in human rights issues or acted as initiators in the implementation of human rights, it must be answered by saying that they fulfilled both functions. They have both more or less passively and actively worked for social change. It is particularly noteworthy that the Programme to Combat Racism (PCR) within the World Council of Churches

was a driving force in the campaign against apartheid in South Africa.

The ideology of human rights and the transformation of society

The changes in the ideology of human rights within the denominational communities which have been studied during the half-century from 1945 to 1995, were due principally to the repercussions of radical social transformations upon the Churches. A paradigm shift took place in the 1960s with the focus moving away from individual rights to social rights and the right to life. This paradigm change in a most profound sense derived from the fact that the ideology of the welfare state had won general support as well as the conviction that the gap between the developed and underdeveloped parts of the world remained to be bridged. The socio-political processes had an effect on the ideology of human rights.

The 1980s witnessed a similar development, when the breakthrough of the ecological movement on a broad front ensured that the ideology of the rights of nature came high on the agenda. The issue was how social justice in the form of social rights could be implemented without crude exploitation of the finite resources of nature.

It is the socio-economic processes in society and the changes within them which decisively determine the content and formulation of the discussion on human rights in the Churches.

From what has been said, the general conclusion should not be drawn that religion and theology were used within the Churches to legitimise the ideology of human rights in its shifting formulations. Nor can it be asserted generally that religious belief

functioned as a cutting edge in bringing about social change within the movement for human rights in which the Churches participated. On the other hand, it is obvious that the Churches in their actions on behalf of human rights demonstrated that religion has both these functions.

The movement for human rights played a crucial role in the liberation struggle of the American blacks., in the collapse of the Soviet Union and in the dismantling of the South African apartheid system. In the USA, Poland, East Germany and South Africa, the Church was to be found taking the lead. The Church functioned as one of the initiators of social change. At the same time, the idea of human rights was considered a basis for theological reflection and was given a theological motivation. The historical process of development was a complex one in which religious factors interacted with a host of others. It is tempting when we try to explain the historical transformation to simplify and specially single out particular forces in the historical chain of events. But the historical changes in the USA, Poland, East Germany and South Africa where human rights have been involved, are the result of several factors, one of which is the religiously motivated idea on human rights.

It is an indubitable historical fact that the American civil rights movement through its foremost leader, Martin King Luther Jr., received inspiration from religious belief. It is also clear that in the same way several of those fighting apartheid were religiously motivated. It is obvious that John Paul II's evangelical campaign for human rights in Poland had religious roots. The religiously motivated idea of human rights has thus played a role in the creation of modern history.

Martin Luther King Jr., Beyers Naudé and John Paul II are examples of the interaction between religious belief and the campaign for the successful implementation of human rights. In

all cases, action led to profound social change and the religious factor played, together with other factors, a decisive role in the social transformation. It would seem, however, to be impossible in particular cases to distinguish between what is primary and what is secondary, what is cause and what is effect : we must content ourselves with pointing out the complexity of the historical process of development, while maintaining that religious conviction was the most important motive force in Martin Luther King's, Beyers Naudé's and John Paul II's actions.

Charles Villa-Vicencio in *The Spirit of Hope Conversations on Politics, Religion and Values* 1994, has interviewed a number of prominent persons who were active in the implementation of human rights in South Africa.

They were inspired by different motives since they had divergent backgrounds with respect to their views of life. Among them were Christians, Moslems, Jews, Hindus, agnostics and atheists. But it is striking that all of those interviewed give more fundamental motives for their actions; in the case of the religious, these are of a religious kind. Nihilism and scepticism show that they are not a fertile foundation for socio-political action and heroic contributions. A belief in the future and in the possibility of change united those actively involved in the campaign against apartheid.

Problems

Catholics, Orthodox, Lutherans and Calvinists have a shared basis for their theology of human rights in Christian anthropology, namely that human beings are created in the image of God..

The theological arguments which lead to this common thesis, differ however. Catholics prefer to emphasise that the source of human rights is the natural law. Calvinists see God's covenant as

the basis of human rights. Lutherans base human rights on the justification of human beings by the grace of God.

A shift in the Catholic standpoint, however, took place due to the influence of the Biblical research movement from the Second Vatican Council so that alongside the natural law foundation of human rights, there was an attempt to anchor them Christologically. This Christological basis unites Catholics with Lutherans and Calvinists who base their theology of human rights upon Christology and upon justification by faith and the new covenant in Christ.

The direction of the development allows one to speak of an ecumenical theology of human rights which has different points of emphasis but also certain common components. The latter include anthropology and the Christological basis. The Catholics find the Christological basis more justified than the natural law one in a religious world which is increasingly pluralistic and in a secularised Europe. Christian anthropology and Christology as the basis of the idea of human rights are designed to present the Christian standpoint in a multireligious and multicultural world. The natural law basis of human rights was motivated in the medieval world with its unitary Christian culture and this basis was developed in the theology of Thomas Aquinas. However this theological standpoint appears increasingly artificial in the modern world and the Second Vatican Council made this entirely clear when it downplayed scholastic theology in favour of a theology based upon contemporary exegetics. The modern Bible movement had already made inroads before the Council took place in the new theology, *la nouvelle theologie*, in France; but during the Second Vatican Council, it also made itself felt in the Council texts which deal with human rights e.g. the Church in the contemporary modern world. In it, reference is made to the Bible. "Man created in the image of God is the source, centre and goal of all economic and social life."

From the 1960s, the denominational traditions converge in the area of human rights so that we can talk of an ecumenical theology.

Christian anthropology is thus the basis of the Christian view of human rights. But the theological paths leading to this shared view are, as we have seen, not the same. One variant is to base human rights upon natural law. Another variant is to take as one's starting point God's covenant with his people and the new covenant in Christ. A third variant is to start with justification by grace in Christ. Catholics prior to the Second Vatican Council have predominantly taken the first path, the Calvinists the second and the Lutherans the third. The traditions meet in ecumenical theology and provide human rights primarily with a Christological basis. The various issues were discussed at a working conference on the theological basis of human rights in 1980.

The Roman Catholic view

Human rights are based upon some form of natural law theory and the idea of the general good or what is best for all. Human rights founded upon nature's laws and the natural light of reason belong to the natural order. The call of the Church belongs to the supernatural order of grace. At the same time, it must speak prophetically as the defender of human rights. Grace extends beyond, heightens and completes the natural human rights.

After the Second Vatican Council, it was emphasised that the Church proclaims human rights by virtue of the Gospel. Human rights movements have to be examined in the spirit of the Gospel.

The Eastern Orthodox view

The Eastern Orthodox scholars have developed a natural law theory as a support for their defence of human rights. Natural law binds the formulation of positive laws in the state and can have a healing effect against the abuse of human rights. Eastern Orthodoxy lays the foundation to a universal view of human rights. The ultimate basis for the restoration of human rights is the Gospel of Jesus Christ.

Within the World Council of Churches, it was above all the Orthodox who, from their Trinitarian starting point in understanding the creation, were behind the demand for the integrity of creation. It is a work of God which creates, redeems and sanctifies. In their ecological theology, they spoke about a cosmic Christ.

The Lutheran view

Lutheran theology stands for the two kingdoms doctrine with the Kingdom of God and the Kingdom of the World, the sphere of the Church and the sphere of the state. Christians live in both kingdoms in dialectical balance and tension. God is Lord over both, ruling in the former through the Gospel and in the latter through the law. Justification by faith is the norm in the first Kingdom and justice in the second. Human rights belong to the Kingdom of the World.

Reason, enlightened by law and the Gospel, is needed so that Christians can deal with human rights and promote their implementation. As regards earthly life, it is a question of a rational approach while Biblical faith is the norm for life in the Church. Human rights cannot be derived from particularly Christian principles. They are rights for all mankind even for those who do not, or will not, live according to the Gospel.

From the perspective of the Gospel, the discovery of human dignity by secular human rights movements and their emphasis upon it, is something to be welcomed. The implementation of human rights is to be understood as a humanisation process for everyone.

The Lutheran dichotomy between law and Gospel, reason and belief, the worldly order and the spiritual order, means that there are no clear Biblical principles which motivate Christian involvement in the campaign for human rights. This is true even if human rights contain a transcendental factor so that respect for human beings has a deeper meaning and that God forgives us our sins and receives us through grace into a union with Himself.

The two Kingdoms doctrine is the definitive model. Human rights belong to God's temporal Kingdom. In the Church, human beings are brothers and sisters, members of one family. But even in the temporal Kingdom, human beings living according to the law must show that they are called to be the images of God.

The Church has a critical and creative task as the defender of justice. The Churches must make those in power responsible before the law of God. Their task is to proclaim the hope which God offers to victims of human rights violations. The Church must protest where human rights are violated and oppose the violations. It must not justify the status quo but undertake passive resistance when open opposition is impossible.

The Reformed view

The theological contribution of Christian faith is to base the fundamental human rights upon Divine Right i.e. God's demands on human beings. Human rights are not based upon human nature. They reflect God's covenant with His people. No earthly

authority can lawfully deny or suspend human beings' rights and dignity.

The forces of evil disturbed the covenant and human rights. Against this is set the liberating power of Jesus Christ. Theology contributes to the theory and practice of human rights by serving the Gospel. Obedience to this call means confrontation, struggle and suffering.

The Christian congregation's witness in the world is only credible and effective if it offers a faithful representation of the new creation in which the image of God is re-established. The Church can be a symbol to the world of true human existence under the dominion of Jesus Christ. In relation to society and culture, the Church ought to point to the causes of violations of human rights. The Christian congregation has an obligation to counter the forces of oppression.

The view of the World Council of Churches

There is a parallel between the development in the UN and that in the World Council of Churches. Both have drawn the attention of the world to issues related to human rights.

In Amsterdam in 1948, it had been laid down that a responsible society is one where freedom is the freedom of human beings to feel a responsibility for justice and general order. Those who exercise political and economic power are responsible for their actions before God and the people whose welfare depends upon them.

Human rights implied above all religious liberty. This perspective was broadened at New Delhi in 1961. Human rights is a long series of things and religious freedom is one of that series.

At Uppsala in 1968, human rights were linked to social justice. The rights of the individual are linked to the struggle for an improved standard of living for the underprivileged in all nations.

At St Pölten in 1974, it was laid down that individual rights and collective rights are not in opposition to one another. They are related to one another. The aim of society is to secure the welfare of all while the individual's goal is to serve what is best for all. The fundamental human right is the right to life.

At Nairobi in 1975, human rights were treated from the viewpoint of the struggle for freedom and against injustices. The human right which is mentioned first, is the right to life.

Towards an ecumenical theology of human rights

In the denominational bodies, three key terms occur : covenant, natural law and the worldly kingdom. In the Reformed tradition, human rights are linked to the covenant which God has entered into with mankind; in the Catholic tradition, human rights are linked to natural law ; and in the Lutheran tradition, they are linked to the worldly kingdom. The Reformed Churches base human rights, not only upon the old, but also upon the new covenant in Christ. Lutherans base human rights, not only upon the worldly kingdom, but also upon the spiritual kingdom. Finally Catholics base human rights, not only upon natural law, but also upon Christ. The trend towards an ecumenical theology of human rights is obvious. Human rights can only be fully understood in the light of Christ's life and works.

A shift takes place in all three denominations towards a more Christocentric foundation of human rights. This was part of the original teaching of the Reformed Churches but has been reinforced and enters as a new element in the thinking of

Lutherans and Catholics. Although human rights are to be found in God's covenant with mankind, in the worldly kingdom and in the natural law, it is God's work of redemption in Jesus Christ which is the real basis of human rights. For Lutherans, human rights grow from justification by faith. For the Reformed Churches, God has made a new covenant in Christ from which human rights emerge. In the new man Christ, a new humanity is bestowed upon all who believe. This creates the preconditions for a complete implementation of human rights.

Basing human rights upon what is most holy and sacred can lead to increased respect for them. What is most sacred varies from religion to religion; at the same time, it is to be found in all religious traditions. It gives a firmer basis for human rights than purely secular grounds in the form of philosophical or ideological traditions. Ultimately human rights are a question of morality. Religions, in contrast to secular ideologies, provide ethics with an absolute basis. Christian faith anchors human rights on God's revelation in Jesus Christ. All religions base ethics and human rights upon the divine. For Christians, the divine means specifically Jesus Christ. The Christian message about Jesus Christ reveals for mankind the deeper meaning of human life and therefore of human rights. It also encourages human and social changes which are necessary if human rights are to be attained.

From the accustomed intellectual standpoint, moral systems are seen as based upon a particular society's tradition and with its particular history, culture and world view. The perspective of the believer is, however, another - whether Christian, Jew, Moslem, Hindu or Buddhist.

The Reformed Churches are the least willing to find a basis for human rights outside the gospel since their perspective is holistic. But Catholics with their natural law and Lutherans with their worldly kingdom are prepared to see human rights outside

the action-radius of the Gospel. Such rights are common for all human beings independently of faith. Complete insight into them, however, can only be achieved in the light of the Christian Gospel.

Concluding reflections

The issue of human rights is universal. One possibility is to end up in cynical pessimism. Another possibility leads to optimism. According to Reinhold Niebuhr, it is necessary for the Christian to be realistic. The Kingdom of God has not been attained but constitutes our hope for the future.

The Churches are agreed that human rights issues are important. This speaks for future unanimity in their pursuit.

In different Christian traditions, the theological accentuation varies in the motivation and formulation of human rights. However, they arrive at similar conclusions.

They diverge in theory but not in practice. This is also true of different Christian traditions in relation to the world religions. The theological arguments concerning human rights are advanced in these religions on the basis of other theoretical presuppositions and other frames of reference than the Christian. At the same time, the representatives of these non-Christian religious traditions demand the implementation of human rights.

The same words in differing religious and cultural traditions have, however, different meanings. In Christian belief, human beings are thought of as ambivalent and the world as dualistic. This view is not shared by all humanists.

In classical Roman Catholic theology this dualistic perspective was expressed in the scholastic view of nature and grace. Grace

complements nature. The general sector of life, the state of nature is good but the state of grace is better.

In this Catholic view, human rights belong to the lower order of nature. They belong essentially to natural theology. But since the states of nature and grace are linked to one another, human rights also belong to the Church. The Church has the task of functioning as the conscience of society. It can therefore speak out about human rights issues.

Eastern Orthodoxy also has a dual perspective on reality. Human rights are a question of obedience to the natural law. There is a lower ethic based upon natural law and a higher ethic of the Gospel.

Within Lutheranism, there is also a dualistic view of reality and it is expressed in the dichotomy between law and the Gospel. There are two kingdoms which co-operate: the Kingdom of God and the Kingdom of the World. God's rule is present in both. In the former, He rules through the Gospel and in the latter through the law. In the Church, human beings live according to the Gospel of justification by faith alone while social life is ruled according to the law of justice. Christians, as believers, live according to the Gospel of love and, as citizens, according to the law of justice.

Human rights belong to the Kingdom of the World and it is the duty of the state to secure them. But the implementation of human rights is also a matter for the Church. There are links between the Church and the world. The life of the Christian congregation must be reflected in society.

In the Roman Catholic, Eastern Orthodox and Lutheran traditions, there is a dualism in ethics. One norm applies to life within the Church, Christian congregation and the Kingdom of

God. Another norm is valid for the world, civil society, the Kingdom of the World.

The dualistic perspective is lacking in the Calvinist tradition's approach to human rights as it is expressed in the World Alliance of Reformed Churches. The Calvinist world view is holistic in its approach to issues of justice and human rights. It reckons with three basic relations for human beings - to God, our neighbour and to the environment. Human rights relate to human beings in all their relations in life, to human beings in communion with others and to human beings in their communion with the non-human part of creation.

The World Council of Churches advocated in the beginning a liberal emphasis on human beings' supreme value as individuals. This later switched to a more collectivist view of human rights. Human rights are dependent upon social structures. The World Council of Churches acquired a more holistic approach to human rights when these were not simply defined as religious freedom. Human rights cannot be dealt with independently of questions about social structures and social justice. The World Council of Churches deal with human rights in the tension which exists between individual and society. Christian congregations must work to bring about the type of society which bears traces of the Kingdom of God and in which human beings, individually and collectively, can attain their full human potential.

The traditional denominationally determined theologies of human rights fade steadily into the background, giving way to an ecumenically oriented human rights theology which has taken its starting point in the perspective of God's Kingdom and in the work of redemption of Jesus Christ. Among the signs of the arrival of the Kingdom of God was the reduction in human rights violations and Christ decisively paved the way for the Kingdom of God through His life and work. This ecumenical human rights

theology which was accepted not only by the denominational traditions represented in the World Council of Churches but also by the Roman Catholic Church, was clearly Christological. Its most important precondition was historical-critical Biblical research and modern exegetics which extended over all traditional denominational boundaries. When it grew in strength in the Roman Catholic Church, it influenced in a decisive way the outcome of the Second Vatican Council and paved the way for a new ecumenical theology which also included human rights.

Two parallel historical processes took place within Catholic and Lutheran theology. The former, after the Second Vatican Council, freed itself from a human rights theology which was exclusively based upon natural law and became receptive, due to the influence of modern exegetics, to a theology which was based upon Christology. The latter freed itself from a human rights theology which totally took its starting point in the Lutheran doctrine of the two kingdoms and switched more to basing its theology also upon the idea of the Kingdom of God as it is presented in the New Testament, which modern Biblical research considered of central importance.

In both Catholic and Lutheran human rights theology there was a shift in emphasis and a new orientation due to the influence of modern exegetics. It has had a visible effect in human rights theology and makes it ecumenical. Modern Biblical research frees both Catholic and Lutheran human rights theology from a one-sided, rigid adherence to old theological categories such as the scholastic doctrine of natural law and the Lutheran doctrine of two kingdoms. These theological traditions come nearer to one another and are able to bridge old theological differences. Human rights theology is a watershed for this movement towards ecumenical agreement, mainly inspired by the modern Bible movement.



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