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Christian Traditional Values Prefiguring the Development of Human Rights

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At the end of World War II, nongovernmental organizations (NGOs) and individuals urged the creators of the United Nations System to introduce some human rights component, meaning to develop an international document of human rights to which all individuals are entitled, regardless of who they are or where they live. In 1946, the UN set up a Commission on Human Rights to draft such document, which would be called the Universal Declaration of Human Rights (UDHR), and which would include fundamental civil and political, as well as economic, social, and cultural rights. Surely enough, on December 10, 1948, forty-eight members of the UN unanimously adopted the UDHR, with eight countries abstaining.

Admittedly, long before international documents and national constitutions consisted of human rights, human beings illustrated the need for justice and support through their culture and traditions.[1] Whether by communicating within their families, communities, states, or religions, human beings formed basic rights and responsibilities such as the right to life, equality before the law, and freedom of expression.[2] As a result, upon closer reading, one can argue that the Commission on Human Rights took earlier basic rights and responsibilities from cultures, traditions, and religious practices, one of which is Christianity, and placed them in writing into an international document, the UDHR, for all individuals to possess. Although the Commission argued that in light of the two world wars and the Holocaust, human rights did not need a special religious justification in order to exist,[3] and although the UDHR makes no reference(s) to God or any specific religion,[4] one can surely find Christian values implicitly, not explicitly, in the document.

In arguing that human rights found in the UDHR have a particular touch of Christian tradition, this essay elaborates on the values taken from the Christian scripture—not only the New Testament pertaining to the life and teachings of Jesus of Nazareth and the apostolic era, but also the Old Testament referring to God and the Jewish people.[5] Since it would be a time consuming and spacious task to elaborate on every Christian value that prefigures the development of human rights, this essay surveys a handful using Schweiker's five categories of international human rights: "rights of the person, rights associated with the rule of law, political rights, economic and social rights, and rights of communities."[6] In doing so, the essay takes into account not only civil and political, as well as economic and social rights, but also group rights.

However, this essay must clarify the following. First, since no universal format by which to classify human rights exists, this essay's use of Schweiker's categorization does not suggest that human rights have a hierarchy, or that they can be ultimately separable; on the contrary, human rights have no hierarchy and must be interdependent in order to reach their full effectiveness.[7] Second, though the International Bill of Rights consists of not only the UDHR (1948) but also the International Covenant on Civil and Political Rights (ICCPR) (1966) and the International Covenant on Economic, Social, and Cultural Rights (ICESCR) (1966), this essay focuses on the UDHR since it represents the first global expression of rights to which all human beings are inherently entitled—any convention afterwards builds from it. Finally, this essay acknowledges that the Christian scripture consists of certain values which come into conflict with human rights—women's rights and homosexuals to name two. Still, because religion (which comes from the Latin "religare") means "to bind together again that which was once bound but has since been torn apart or broken," [8] Christian values through scripture stories provide a human rights vision about how one

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can be bound to a "meaningful world," [9] a world without human suffering but based on dignity and moral worth of the human being.

This essay first begins with the rights of the person—above all, life. Second, the essay looks into rights associated with the rule of law, mainly the state's role and judicial proceedings. Third, it examines some political rights such as freedom of expression. Fourth, it looks at economic and social rights like social welfare, right to labor, and family. Fifth, this essay provides some community rights, which include group, environmental, and children. Finally, the essay provides concluding remarks.

Rights of the Person: Life as a Gift

A Christian understanding of any human right begins with God's creation.[10] Unlike God's previous creations such as day and night, water and land, plants and animals, in which he utters, "Let there be . . . "[11] when creating a male and a female, God invites the heavens to participate with him and says, "Let us make humankind in our image, according to our likeness,"[12] which indicates that something special has come into being. In fact, instead of calling his human creation "good," as he does with the rest of his creation, God calls it "very good."[13]

From this story, Christians derive two meanings. First and, foremost, human life is a gracious gift from God and, therefore, holy[14]—prefiguring UDHR's Article 3 of the right to life.[15] Hence, the human being created in the image of God is meant to be "God's representative" on earth, who acts caringly and compassionately.[16] By having an inherent dignity (words the Preamble of the UDHR uses)[17] in the eyes of God, the human being must not only respect the other but also respect the sanctity of human life;[18] otherwise, treating such a person as less is like "spitting in the face of God."[19] One can accordingly argue that through the Christian value that life is a gift from God worth preserving, as well as "thou shalt not kill,"[20] modern law seals and protects the life and the rights of a child, adult, and senior citizen.

Second, Christians argue that humans have rights not because they are part of the natural order, but because God created them.[21] Hence, Christians claim that human rights cannot be justified on the basis of natural law but rather must be grounded in God.[22] However, Christians also argue that in addition to God's created order, one fully discovers his or her own and others' dignity through the meeting of God in the man Jesus Christ, who teaches to love all neighbors.[23] In other words, while the Old Testament upholds the value of life, the New Testament adds further truths through Jesus's life and teachings.

For instance, by coming to the world so "[all] may have life, and have it to the full,"[24] Jesus passes the inherent value of individuals to one's neighbors in his Great Commandment: "You shall love your neighbor and hate your enemy."[25] To be sure, the Great Commandment to love God and to love one's neighbor knows no limits to its applicability—Christians should love all regardless whether the other returns the love back.[26] Likewise, Jesus also teaches the "Golden Rule": "In everything do to others as you would have them do to you."[27] Regarding the right to life, in short, Christians believe that all should oppose torture and inhumane treatment, also found in Article 5 of the UDHR,[28] based on God's creation and Jesus's teachings.

Rights Associated Before the Rule of Law

The State and Religion

Since human dignity and human rights are part of God's creation, Christians adhere that the state formulates and protects human rights, not creates them.[29] However, because God instituted authorities,[30] anyone who opposes the state also opposes God's law and, therefore, is rightly bound to legal proceedings. Since the state has the duty to punish evil acts as God would do, Christians must do good—defined according to God's will—if they wish to avoid evil—defined as that which God's law condemns.[31]

From these statements, Christians derive two thoughts: 1) the government can only judge people's actions which cause damage to public order, to which the state has the responsibility to maintain and protect,[32] and 2) the state

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may not enforce a religion upon itself or its citizens.[33] As Jesus confirms this separation in his teachings, "Give to the emperor the things that are the emperor's, and to God the things that are God's,"[34] meaning no ruler has the authority to limit or determine what belongs to God. Moreover, this separation of church and state does not absolutely mean that both should distance themselves from each other; rather, not only do sometimes both need the other but also their duties sometimes overlap, too.[35]

In other words, in relation to Article 21 of the UDHR,[36] a "good government" [37] forms when a relationship exists between the state and its citizens. On the one hand, citizens have the obligation to give allegiance to the state. [38] On the other hand, in return, the state appoints ideal representatives to punish wrongdoers and praise loyal citizens, [39] as well as stops short of using its political structures and forces to manipulate its citizens' choices and consciences. [40] Interestingly, then, this Christian value, as well as Article 21, seems to very well support the idea of democracy.

Judicial Proceedings

The Christian belief of social justice echoes from the Old Testament's view that God's moral character can ensure that what is just for him is also good for society.[41] Christians adhere that God is the best model for a just judge—he is "not partial and takes no bribe"[42] and always stands by the innocent.[43] After all, Christians believe that God, not state courts, will judge the individual standing before his throne during the end of days.[44] In fact, Jesus himself upholds the sanctity of God's Law by declaring that not one part of it should fail.[45] Hence, Christians regard the following directions needed to have just, humane judicial proceedings.

First, humans are equal before the law,[46] as Article 7 of the UDHR also makes note.[47] Secondly, the prosecution requires at least two witnesses to testify.[48] Thirdly, for God is impartial, the judge, having carefully examined all the evidence, must rule with complete impartiality and without prejudice,[49] as well as without bribes,[50] all of which can be similarly found in UDHR's Articles 10 and 11.[51] Lastly, both nationals and foreign residents must come under the same penal system.[52] In essence, these judicial directions indicate, once again, that God wishes for all humans to treat one another in his likeness.[53]

Political Rights and Freedom of Expression

Christians regard their freedom of thoughts and feelings as meaning their communication between God and among others, which impacts their well-being and interpersonal relations[54]—noted in Article 18 as well.[55] Although God endows human beings with freedom to choose,[56] as servants of God,[57] or being set free by Jesus,[58] Christians are urged to not use their freedom as a "pretext for evil."[59]

For instance, Jesus's teachings or his followers' actions have no support for the use of violence towards social reforms.[60] As an example, Jesus discourages his disciples from the use of the sword[61] but rather to live at peace with all; if humans ignore this fundamental principle, they can never achieve social reform.[62] Although one can argue that Jesus has a revolutionary character because he challenges the status quo of his own times, he accomplishes his mission not through political action but rather on spiritual grounds.[63] In fact, Jesus does not allow the crowds to make him king[64] but instead calls on them to follow in his footsteps towards salvation through prayer and almsgiving.

This does not mean, however, that Jesus bans Christians from participating in social freedoms. The Christian value is that one must be given the opportunity to develop his or her full potential but within peaceful means[65]—an idea reflected in UDHR's Articles 19 and 20.[66] As an example, one should not use violence—"An eye for an eye and a tooth for a tooth"[67]—against another but, instead, find peaceful ways to settle differences such as "turn the other [cheek]"[68] or "go also the second mile."[69] If not, then one's public statements of religious insult or feelings of nationalism can stir armed conflict and division that fail to create and support the common good.[70] Nonetheless, since God created humans to become interdependent with one another and with the rest of his creation,[71] early Christians did form assemblies and, in order to preach the Word of God, did make use of their rights as Roman citizens.[72] Here, one can argue that early Christian communities may have very well given precedence to the rise of

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human rights advocacy groups which now, instead of preaching God's Word, have evolved to address human rights concerns.[73]

Furthermore, believing that freedom of expression can open up new pathways to a person's spiritual growth and knowledge of the created world, Christians value creative work and education.[74] Christians view a right to self-expression as an act that does not insult other members of society's beliefs and ways of life, such those found in burial places and cultural monuments[75]—this view is consistent with Article 27 of the right to cultural life.[76] Similarly, Christians view a right to education as a means for one to learn his or her religion and culture as well as forming one's personality in accordance with God's creation—Article 26 on the right to education also uses similar language.[77] Nevertheless, whether as creatures of God or humans possessing dignity, all must strive to use their freedom of expression in a way that will not harm themselves or those around them.[78]

Economic, Social, and Cultural Rights

Social Welfare

Modeling after Jesus's constant sympathy for the less fortunate,[79] Christians perform good works, or outside actions or deeds.[80] They pursue Jesus's idea of "sharing is caring" but, more specifically, the words, "For everyone who asks receives, and everyone who searches finds, and everyone who knocks, the door will be opened."[81] In addition, Christians also model after his disciplines' hospitable ways, too. Many times, for instance, besides breaking bread and eating their food with one another,[82] early Christians would sell their possessions and goods and distribute their proceeds to anyone in need.[83] In return, although the disciples never asked, others voluntarily would treat the disciples with hospitality, too.[84] These examples prefigure Article 22 on the right to social security.[85]

Besides Jesus and his disciples' examples, Christians also find, in themselves, to do good works as ways to repent for their sins or become closer to God and others.[86] As examples from earlier Christian communities, to this day Christians donate money to charities, deliver goods to food drives, or simply pray for those in need and who are suffering. However, Christians also make note that because Jesus encourages secret almsgiving,[87] their good works must stop short from becoming philanthropy or name recognition, as this defeats the purpose of good works and, instead, turns to works—for a lack of a better expression—for the camera spotlight. Nevertheless, one can argue that although the word "humanitarianism," meaning the international community's way of helping a crisis through relief, support, and assistance,[88] does not appear in the UDHR, the Christian value of good works for the good of all certainly prefigures any official UN international humanitarianism before this institution's creation in 1945.

Labor Conditions

As the New Testament illustrates, early Christians find life nearly impossible without having their basic human needs satisfied—food, clothing, housing, medical care, and employment,[89] needs that Article 25 of the UDHR lists.[90] In fact, not only did Jesus learn the trade of carpentry—as Jewish tradition required all males to learn a trade[91]—Jesus describes his mission as "work," too.[92] Nonetheless, the New Testament makes several directions, many of which appear in Article 23,[93] towards humane working conditions.

First, as a general direction on labor, "the laborer deserves to be paid." [94] Two, employers cannot discriminate against their employees in the work place on political, economic, social, or cultural grounds. [95] Three, since Jesus shows that one has to acquire a living in non-sinful ways, [96] humans cannot engage in prostitution, drug trafficking, child trafficking, or the mafia in order to make a living—all of which Article 4 of the UDHR implicitly forbids. [97] In other words, since God created all humans and expects them to further develop his earthly creation, [98] labor must be an act that becomes "holy and acceptable to God." [99] Lastly, employers should give their employees a day or two to devote themselves to God and/or to rest—these day(s) should be a benefit, not a burden, to the employer and employee. [100] Hence, the principle that an employee cannot continuously work but needs rest from his labors has proved to be essential to one's physical and mental state [101]—in line with Article 24 on the right to rest and leisure. [102]

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Nonetheless, Christians highlight that exercising economic rights should not lead to the use of material wealth as the dominating aim of society' existence.[103] If done so, then this stratification contrasts to the commandment of love one's neighbor because it creates the conditions for an individual and society's moral degradation as well as generates feelings of alienation among people.[104]

Family

Jesus emphasizes that until a family problem (such as arguments or fights) is not settled or patched up, one cannot offer his or her gift at the altar.[105] Christians interpret this to mean that although rituals are important, family relationships come first.[106] After all, Christians believe that one gains an understanding for God and his neighbor through religious traditions and passed down culture.[107] In fact, Christians argue that the legal system should not deny parents from having a special role in deciding their child's education, meaning public or parochial schools[108]—seen in Article 26.[109] Hence, Christians urge the legal system to respect the family as an integral part of one's development and to protect it against moral decay[110]—as seen in Article 16.[111] Admittedly, though Christians base their idea of a family on "the Holy Family"—that is the Child Jesus, the Virgin Mary, and Saint Joseph[112]—which does not fit in line with homosexuals, the idea of having parents taking care, loving, and supporting their child(ren) holds the same value.

Rights of Communities

All for One or One for All

Just as the early Christians believe that a bond helps strengthen human compassion and provides motive for social concern,[113] so, too, Christians are called to exemplify a new human community that establishes true freedom rather than individual liberties which can lead to division and alienation based on race, class, gender, etc.[114] In other words, since Christians believe that faith derives human rights, and since God created humans in his image, humans do not have rights as individuals per se but rather have corresponding duties in relation to others in their communities and, ultimately, to God[115]—illustrated in Article 29.[116]

More specifically, believing that the extremes of individualism and collectivism can lead to degrading of one's personality, growing crime, and alienating of others, Christians assert that a balance should exist between individual rights and people's responsibility before one another.[117] In order to do so, Christians believe that love allows the individual and those around him or her to enjoy full freedom while taking care of one's surrounding neighbors.[118] This, in fact, can be seen in Article 1's reference to social nature[119] in which without a community, individuality eases to exist since humans inherent ideas and personalities from their interactions among others.

Caring for the Environment

Since God gave male and female dominion over the rest of the animal and plant life, Christians believe that all should fulfill God's purpose—that is, not only to rule over the earth but also to preserve his earthly creation.[120] However, Christians acknowledge that the earth's resources are not only the property of humanity but, first, are a creation of God for all to use without selfishness.[121] Therefore, Christians are forbidden from having an unlimited hunger to satisfy their material needs, for it leads impoverished souls and environment—not to mention sinning against God.[122] Rather, humans should have moderate needs that will help preserve the beauty and richness of God's nature.[123]

Furthermore, being born in a stable[124] and mainly eating fish and bread,[125] Jesus can be considered a champion for animal rights. In fact, whenever he eats anything, he always shows his respect for all life by thanking God and treating food as sacred.[126] Moreover, besides eating, Jesus becomes enraged when he sees caged animals for sale at the temple, which should be a "house of prayer," not a "den of robbers"; he not only drives out the sellers and the buyers but also overturns the tables of the money changers and those who sell doves.[127] Here, Jesus's rage may not only come from seeing the misuse of the animals, but also from seeing people stealing the life of the animals to make a profit for themselves and not a sacrifice to God. By having a duty towards caring for the

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environment and its creatures within, this essentially prefigures and defines public goods—goods such as water, sunlight, and air that are difficult to put a price tag on or difficult to limit because they are hard to live without.

Respecting Children

Throughout the New Testament, Jesus clearly shows his loving gesture towards children. On several occasions, Jesus calls children to come forth to him and reminds the gathered crowds to become more like innocent, humbled children.[128] In fact, Jesus forbids anyone from putting a "stumbling block" before any child who believes in him, as in doing so would be better for the person to fasten a "great millstone" around his or her neck and drown in the depth of the sea.[129] In other words, Christians interpret a "stumbling block" to mean that since child molestation, child pornography, or even child recruitment bring psychological distress to the affected child, human beings are forbidden from engaging in such acts—period. Showing how important children are to God, Jesus further adds, "Let the little children come to me; do not stop them; for it is to such as these that the kingdom of God welcomes."[130] Hence, humanity should see children as "angels of God," meaning examples of peace and prosperity.

Conclusion

Christians believe that God has given every human being a special dignity that should not be violated by anyone and has called all to the responsibility of protecting human rights, as well as the social conditions necessary for human dignity. Although Christians generally accept the main tenets of the UDHR—though never without qualifications—they do not consider this universal document as superior to the values of the spiritual word found in their scripture. Therefore, interpreting human rights as the ultimate source and universal foundation of societal life is inadmissible and dangerous.[131] In fact, many people in various parts of the world acknowledge that their traditions have the ultimate authority in their social life and interpersonal relations than do secularized standards of human rights.[132]

Still, although a summary statement that reflects the deepest aspirations of the peoples of the world, the UDHR is the cornerstone for religious and secular leaders to build a system of law that will help promote, respect, and enforce human rights. Ultimately, regardless whether human rights or religious values, uniting and interconnecting civil and political, economic and social, individual and collective human rights can provide a harmonious social life on both the national and international levels. In simpler words, whatever works in protecting human life and security is what the international human rights system needs.

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- [76] United Nations, "The Universal Declaration of Human Rights," supra note 15.
- [77] ibid.
- [78] Representation of the Russian Orthodox Church to the European Institutions, supra note 40.
- [79] Romans 13:13; Matthew 7:8, in Holy Bible, supra note 11.

- [80] ibid.
- [81] Matthew 7:8.
- [82] Acts 2:46.
- [83] Acts 2:44-45.
- [84] Acts 27:1-4; Acts 28:2.
- [85] United Nations, "The Universal Declaration of Human Rights," supra note 15.
- [86] Matthew 3:8; John 8:11; Matthew 5:16, in *Holy Bible*, supra note 11; Michael Barnett, *Empire of Humanity: A History of Humanitarianism* (Ithaca, NY: Cornell University Press, 2011), pp. 53-54.
- [87] Matthew 6:3-4, in Holy Bible, supra note 11.
- [88] Michael Walzer, "On Humanitarianism: Is Helping Others Charity, or Duty, or Both?," *Foreign Affairs* (2011), http://www.foreignaffairs.com/articles/67931/michael-walzer/on-humanitarianism (accessed March 24, 2014).
- [89] Acts 4:32-37; 6:1-6, in *Holy Bible*, supra note 11; Pope John XXIII, "Pacem in Terris: Encyclical of Pope John XXIII on Establishing Universal Peace in Truth, Justice, Charity, and Liberty," April 11, 1963, http://www.vatican.va/holy_father/john_xxiii/encyclicals/documents/hf_j-xxiii_enc_11041963_pacem_en.html (accessed March 21, 2014).
- [90] United Nations, "The Universal Declaration of Human Rights," supra note 15.
- [91] Donald Gunthrie, "The New Testament Approach to Social Responsibility," supra note 37, p. 49.
- [92] John 17:4, in *Holy Bible*, supra note 11.
- [93] United Nations, "The Universal Declaration of Human Rights," supra note 15.
- [94] 1 Tim. 5:18, in *Holy Bible*, supra note 11.
- [95] Matthew 5:3-10; James 2:1-4.
- [96] Luke 4:3-4.
- [97] United Nations, "The Universal Declaration of Human Rights," supra note 15.
- [98] 1 Corinthians 6:19-20, Holy Bible, supra note 11.
- [99] Romans 12:1-2.
- [100] Mark 2:27.
- [101] Donald Gunthrie, "The New Testament Approach to Social Responsibility," supra note 37, p. 51.
- [102] United Nations, "The Universal Declaration of Human Rights," supra note 15.
- [103] Representation of the Russian Orthodox Church to the European Institutions, supra note 40.

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[104] ibid.

[105] Matthew 5:23-24, in Holy Bible, supra note 11.

[106] 1 Timothy 5:8.

[107] Representation of the Russian Orthodox Church to the European Institutions, supra note 40.

[108] ibid.

[109] United Nations, "The Universal Declaration of Human Rights," supra note 15.

[110] Representation of the Russian Orthodox Church to the European Institutions, supra note 40.

[111] United Nations, "The Universal Declaration of Human Rights," supra note 15.

[112] Luke 2, in Holy Bible, supra note 11.

[113] Romans 12:13.

[114] Gal 3:28; 1 Cor. 12:12-13; Col. 3:9-11.

[115] Robert Traer, "Christian Support for Human Rights," supra note 21.

[116] United Nations, "The Universal Declaration of Human Rights," supra note 15.

[117] Representation of the Russian Orthodox Church to the European Institutions, supra note 40.

[118] ibid.

[119] United Nations, "The Universal Declaration of Human Rights," supra note 15.

[120] Genesis 1, in Holy Bible, supra note 11.

[121] Psalm 24:1.

[122] Representation of the Russian Orthodox Church to the European Institutions, supra note 40.

[123] ibid.

[124] Luke 2:7, in Holy Bible, supra note 11.

[125] Luke 24:42-43

[126] ibid.

[127] Mark 11:15-17.

[128] Matthew 18:2-4.

[129] Matthew 18:6.

[130] Mark 10:13-14.

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[131] Representation of the Russian Orthodox Church to the European Institutions, supra note 40.

[132] ibid.

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