

A UNIVERSAL DECLARATION OF HUMAN RIGHTS BY WORLD RELIGIONS: BASIS AND PROBLEMS

*By Abraham H. Khan**

Is there a basis for this proposed document? If you see the world and human life as being more than secular, as having also a transcendent dimension, then the existing *Universal Declaration of Human Rights* (UDHR) is problematic for world religions. It excludes the world religions as a positive resource for human rights. If you do not see human life that way, then confine the document to the trash. Sober thinking individuals, however, understand the importance of security, peace and development for human life to thrive. They consider development to be more than economic or social, to include personal development as well. This means that to speak about development in the context of security and peace is to affirm that human life is more than transactional arrangements between collectivities or nation states and therefore they would not readily dismiss the document without some reflection on it. That having been said, it provides a context for what I want to do. It is to problematize the document as a way of opening it up for reflection.

Problematique: Three Matters of Concern

- 1) Do world religions add anything crucial to the set of articles or modify significantly specific articles in the UDHR? This question requires considering how each religion understands the person or individual, the human situation. Each understands humanity's situation differently, sees being a person or self in a different light, and views the solution to the problem also differently. In theory, given different sets of interpretation, it would seem that religions of the world do have a different perspective from each other and form a secular outlook serving as a framework for the UDHR and in fact for the proposed document.
- 2) Still at a theoretical level, there is the question of implementation of the rights that the document affirms. That is, in this particular case, would implementation mean also self-monitoring and does the idea of monitoring imply also an obligation to self-censure? Are rights in the context of the document a "hypothetical construct" to be understood as grounds of protest and justification for reforming policies to guarantee basic human needs and human interests? Or, are the set of rights and duties simply appeals to ideals shared by world religions?
- 3) Endorsing the document would mean addressing issues that cannot be dodged indefinitely. One such issue involves Article 14 about the right not to be

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deported. Another involves Article 16 regarding the ideas of marriage and family. These definitions vary with different religions, not to mention that secular definitions are being contested. Then Article 8 is an occasion to reflect whether forgiveness is a right or duty (for whom??), in fact whether it is required for the common good, whether it is a concept that is subscribable by the various world religions. Article 18 speaks of no compulsion in religion, and of promoting peace and tolerance among religions and ideologies. But the question of religion in conflict with other religions or with ideologies over the question of whose truth is to prevail, provides little insight. The duties to which the document refers seem to rest neither with individuals at large nor with specific individuals. Would its adoption by religions of the world be a significant gain over the existing UDHR? Would more light be shed towards a resolution of the conceptual difficulties related to praxis in the UDHR?

These concerns notwithstanding, I do not think that the language or discourse of human rights is immune to religious ideas or influence. For that reason this document or the initiative that represents requires serious reflection.

HUMAN RIGHTS: CRITICAL REFLECTIONS

*By Gregory Baum**

The fiftieth anniversary of the Universal Declaration of Human Rights deserves to be celebrated by people everywhere. It represents an extraordinary leap of the ethical conscience of humanity. While we praise the Declaration and are grateful for it, we do not want to overlook the complexity of the human rights agenda and the possibility of its ideological distortion.

Human rights can be divided into three distinct families: 1) personal rights or civil liberties; 2) socio-economic rights or, as they are sometimes called, solidarity rights; and 3) collective rights. The major emphasis of the Universal Declaration was on the personal rights, yet Article 22 and the following also recognize socio-economic rights: the right to food and shelter, the right to work, the right to education, and so forth. Collective human rights to political, economic and cultural self-determination were acknowledged by the United Nations only in Universal Covenants signed and promulgated in 1966.

These three families of rights are not easily harmonized. In many historical situations, they are competing rights. If socio-economic rights are respected by a government, if, in other words, the national economy is guided by a government so that all citizens have access to the necessities of life and work, education and health, then the government must curtail, to some extent at least, the personal freedoms, in particular the freedom to pursue one's own interests. A country that puts the major emphasis on personal freedom, such as the USA, finds it almost impossible to honour the socio-economic rights. Conversely countries that have tried to honour the socio-economic rights and provided food and work for all their citizens have often violated the personal rights of their citizens.

Collective human rights for self-determination create even greater conflicts. In order to promote the common good, for instance in the struggle of a people against colonial domination, it is almost inevitable that the personal rights of certain people (for instance, the resident white colonizers) be somewhat curtailed. A Canadian example of a minor conflict of this kind is Bill 101 passed by the Quebec government in 1978 that makes French the official language of Quebec, including the language of work and of public signs. French-speaking Quebecers (80% of the population) regard Bill 101 as an expression of their collective right to self-determination, while some members of the English-speaking minority argue that Bill 101 violates their personal human rights.

Because human rights represent an internally competing tradition, they cannot be integrated into a single vision or formula. Societies are unable to respect at

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the same times all of the human rights. Canadians are reminded of this when they walk through the streets of the big cities and see homeless people begging for alms. The freedom of the market to buy and to sell leaves some people without shelter and food. Should the market be contained? It seems to me that the hunger of the masses in today's world is a terrible indictment of the global society and its lack of respect for human rights, despite the beautiful documents which we publish. Gandhi regarded hunger as the most prevalent form of violence.

Human rights can also be used as an ideology to promote national interests of various kinds. Western countries are rightly proud of their civil liberties, but they can use this political achievement to justify a sense of superiority in regard to the ancient cultures of Asia for which social solidarity, not personal freedom, had the highest priority. The exclusive emphasis on personal rights creates a culture of individualism and undermines traditional cultures that are bearers of common values and common customs. Since the corporate effort to globalize the free market system is accompanied by the demand of personal freedom, religious leaders in Africa, Asia and Latin America have complained that the globalization of Western standards undermines the communal traditions that have sustained people and given them their dignity.

Socio-economic rights have also been used as an ideology. Communist countries emphasized solidarity rights in a one-sided fashion, claimed on the basis of their superiority over the democratic countries of the west, and persuaded their own people that political freedom was at odds with a socialist vision of society. Soviet television reporters arrived in the USA to film poor people lining up at soup kitchens and Salvation Army shelters, while American television teams traveling in the Soviet Union interviewed political dissidents harassed by the government. In a similar fashion, can collective rights of self-determination be politically abused? The obvious example are the national security states that, in the name of protecting the unity and well-being of the society against its "internal enemies", cruelly violated the human rights of their critical citizens.

What follows from these brief reflections is that human rights are values which we must praise, foster, and defend: at the same time, the practice of these rights is not a simple application of a set of rules, but the result of an ethical reflection in a particular historical situation.