

**The Meaning of the
Universal Declaration of Human Rights in Canada Today**
Metchosin Challenge Lenten Series
The Church of St. Mary of the Incarnation,
Metchosin, BC, Canada
22 March 2018
Catherine Morris¹

I want to offer my appreciation to St. Mary's Metchosin Church for offering this Lenten series to mark the 70th anniversary of the *Universal Declaration of Human Rights* (UDHR).² This has given me the opportunity to think about the UDHR and what has happened in the field of international human rights since 1948. If we read the news, we know about alarming and deeply disturbing realities in the world today. I have been pondering what this means for us here in Canada, and I would like to share some of my thoughts with you. Now that our winter has officially drawn to a close, it also seems to be a fitting time to pause for spiritual reflection as we enter the spring season, particularly as we near the end of our forty day period of Lenten reflection before Easter, when nearly a third³ of the world's 7.5 billion people will commemorate the death and resurrection of Jesus.

The UDHR emerged in the aftermath of World War II out of resolve that “never again” would the world allow the atrocities of war or genocide. A draft of the UDHR was presented to the first meeting of the United Nations (UN)⁴ General Assembly in 1946. While the UDHR is associated with the advocacy of Eleanor Roosevelt in the United States (US), a Canadian legal scholar, John Humphrey, prepared the initial blueprint for the UDHR in his capacity as Director of the UN Human Rights Division. The drafting process involved representatives from different legal and cultural traditions from all regions of the world plus consultation with all the UN member States, who were then divided into Western and Eastern blocs – the Western countries favoured civil and political rights while the Eastern socialist countries emphasized economic and social development. These ideological divisions made it a significant achievement that the UDHR was finalized within two years. On 10 December 1948, the UDHR was adopted by 50 members of the UN General Assembly; the other eight member States abstained.⁵ No State voted against it. In

¹ **Catherine Morris**, BA, JD, LL.M., is an Adjunct Professor in the Faculty of Law and the School of Public Administration at the University of Victoria, Canada. Professor Morris teaches negotiation, dispute resolution, peacebuilding and international human rights in academic and other settings. She is the managing director of Peacemakers Trust, a non-profit organization for research and education on peacebuilding and conflict transformation. Her international work has included regular assignments in Thailand (since 1994), Cambodia (since 1995), Honduras, Myanmar, Bolivia, Rwanda and Europe. Her publications include works on dispute resolution, religion and peacebuilding and reconciliation. She is currently conducting research on how Canada implements the international right to religion or belief. She is a member of Emmanuel Church in Victoria, Canada.

² Universal Declaration of Human Rights (UDHR), <http://www.un.org/en/universal-declaration-human-rights/>.

³ Conrad Hackett and David McClendon, Christians remain world's largest religious group, but they are declining in Europe, Pew Research, 5 April 2017, <http://www.pewresearch.org/fact-tank/2017/04/05/christians-remain-worlds-largest-religious-group-but-they-are-declining-in-europe/>.

⁴ United Nations, Universal Declaration of Human Rights: History of the Document, n.d., <http://www.un.org/en/sections/universal-declaration/history-document/index.html>.

⁵ UDHR Voting summary, 10 December 1948, <http://unbisnet.un.org:8080/ipac20/ipac.jsp?&profile=voting&uri=full=3100023~%21909326~%210&ri=1&aspect=power&menu=search&source=~%21horizon>.

commemoration of the UDHR, December 10th is celebrated annually as International Human Rights Day.

Over the past seven decades, the UDHR has achieved more authority around the world than the drafters might have expected.⁶ Its adoption launched a process of rapid development of a number of human rights treaties, many of which have now been ratified by the vast majority of countries. The UDHR has been translated into 508 languages, more than any other document in the world.⁷ (The bible is the most translated *book*; as of October 2017 it has been translated into 670 languages.)

Canada has ratified a number of international human rights treaties.⁸ One of them – the *International Covenant on Civil and Political Rights* has been partially implemented in the 1982 *Canadian Charter of Rights and Freedoms*.⁹ These treaties guarantee important rights and freedoms that are to be enjoyed equally by everyone, without distinction, including every child. Here are a few of them:

- freedom from racial discrimination;
- the responsibility to prevent and prosecute genocide where it may occur;

⁶ Antônio Augusto Cançado Trindade, Universal Declaration of Human Rights, Paris, 10 December 1948: Introductory Note, UN Audio Visual Library of International Law, 2008, <http://legal.un.org/avl/ha/udhr/udhr.html>.

⁷ Wycliffe, Scripture & Language Statistics 2017. <http://www.wycliffe.net/statistics>.

⁸ Treaties acceded to or ratified by Canada include:

- *International Covenant on Civil and Political Rights* (ICCPR), <http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>. the ICCPR that guarantees: the right to life (article 6), right not to be tortured (Article 7); the right not to be enslaved (Article 8); the right to liberty (Article 9) including freedom from unfair prosecution or imprisonment; the right to equality before the courts and the presumption of innocence (Article 14); the right to privacy of one self and ones family (Article 17); the right to freedom of religion or belief, including the right to manifest religion or belief individually or in groups; this right may be subjected only to strict limitations defined by law and necessary to protect public safety or the fundamental rights and freedoms of others (Article 18); freedoms of thought, conscience, expression (article 19) and peaceful assembly (article 21); the right to participate in the cultural life of the community (Article 27) including language rights.
- *International Covenant on Economic, Social and Cultural Rights* (ICESCR), <http://www.ohchr.org/EN/ProfessionalInterest/Pages/ICESCR.aspx> While the right to water is not spelled out in this Covenant, in 2010 the UN General Assembly declared the human right to water and sanitation as essential to the realization of all other human rights. United Nations General Assembly Resolution 64/292. Council of Canadians, Canada Declares Support for Human Right to Water: Now is the time for action, says Council of Canadians, Media Release, May 30, 2012 <https://canadians.org/media/water/2012/30-May-12.html> . Canada acknowledge this as a human rights in 2012 after considerable advocacy from civil society. Council of Canadians, Canada Declares Support for Human Right to Water: Now is the time for action, says Council of Canadians, Media Release, May 30, 2012 <https://canadians.org/media/water/2012/30-May-12.html>.
- *Convention on the Prevention and Punishment of the Crime of Genocide*, 9 December 1948, United Nations, Treaty Series, vol. 78, p. 277, available at: <http://www.refworld.org/docid/3ae6b3ac0.html>
- *Convention on the Elimination of All Forms of Discrimination against Women*, <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CEDAW.aspx>
- *Convention on the Rights of the Child*, <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>
- *Convention on the Rights of Persons with Disabilities* (CRPD), <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/convention-on-the-rights-of-persons-with-disabilities-2.html>

⁹ Canadian Charter of Rights and Freedoms, 1982, <http://laws-lois.justice.gc.ca/eng/Const/page-15.html>.

- the right to life and liberty, including freedom from unfair prosecution or imprisonment or torture;
- freedom from sexual assault, abuse or exploitation;
- freedom from slavery;
- the opportunity earn a living;
- fair working conditions;
- a standard of living adequate for health and well-being of individuals and their families, including food and housing;
- adequate rest and leisure;
- education and health care;
- equal rights of women;
- rights of children in recognition of their evolving capacities and their special needs for provision, protection and participation in culture and society;
- rights of persons with disabilities;
- freedoms of thought, conscience, opinion, expression, and peaceful assembly;
- the right to freedom of religion or belief, including the right to manifest religion or belief individually or in groups; this right may be subjected only to narrow limitations defined by law and necessary to protect public safety or the fundamental rights and freedoms of others.

One justifiable limitation on the freedoms of religion, expression or assembly is the prohibition of incitement or promotion of hatred toward any identifiable group.¹⁰ But short of such incitement there is no such thing as a right not to be offended or upset by other people's expression of beliefs. As one UN Special Rapporteur has pointed out, the "crucial elements of freedom of religion or belief... [include] the freedom to search, choose, change, reach out, communicate, convert, and peacefully provoke in the field of religion or belief."¹¹ I emphasise that the right to peaceful provocation does not extend to discriminatory or other harassment or violence, which are legitimately prohibited by law or regulation.

In past lectures in this Lenten series you have discussed issues covered in several human rights treaties including the right to water, language rights, rights of women, the right to education, and children's right to play (which you may have heard is connected to several rights including the right of everyone to adequate rest and leisure as well as the right to education). Another important instrument is the UN *Declaration on the Rights of Indigenous Peoples*, which is not a binding treaty, but the federal government is currently in the process of passing a law to implement it in Canada¹² as part of the plan of reconciliation with Indigenous Peoples.

The past 70 years have seen a rapid pace of adoption of human rights norms around the world, but there is a very long way to go in terms of implementation. Despite Canada's relatively good reputation for human rights globally, our country (and citizens), have a lot of work to do to

¹⁰ Criminal Code of Canada, Section 219, <http://laws-lois.justice.gc.ca/eng/acts/C-46/section-319.html>

¹¹ Heiner Bielefeldt, "Misperceptions of Freedom of Religion or Belief," *Human Rights Quarterly* 35(1)(2013): 33-68, <http://muse.jhu.edu.ezproxy.library.uvic.ca/article/497782>

¹² *United Nations Declaration on the Rights of Indigenous Peoples Act*, An Act to ensure that the laws of Canada are in harmony with the United Nations Declaration on the Rights of Indigenous Peoples, Bill C-262, <https://openparliament.ca/bills/42-1/C-262/>.

address human rights violations, particularly against Indigenous Peoples in Canada who continue to be harshly affected by inequalities in areas of economic wellbeing, housing, water quality, education, health, over-representation in prisons, and impunity for crimes against them. Indigenous women and girls are overrepresented among murdered and missing women, and they face far greater risks¹³ of violence than do other women in Canada.¹⁴ A 2014 RCMP report found that 1,017 indigenous women and girls were killed between 1980 and 2012 and 164 remain missing, but these numbers have not been updated because Canada does not collect statistics on how many indigenous women and girls go missing every year.¹⁵ Many of these murders and disappearances remain unsolved, and there are credible allegations of discrimination in investigations of violence against indigenous women and girls. The recent acquittal of the white farmer charged with the murder of Colten Boushie, a young Cree man in Saskatchewan, has caused deep sorrow among my indigenous colleagues and friends. Human rights advocates are concerned that the investigation being launched by the RCMP may not meet international human rights standards of independence.¹⁶ Indigenous Peoples' land rights and environmental concerns are among the serious and long standing problems complicated by business demands for development, resource extraction and transportation. I will return to Canada later.

In recent years, several countries have been dramatically backsliding on human rights as authoritarian leaders flagrantly defy the UDHR and human rights treaties they have ratified. Some commentators have even predicted that we are in the “end times” of human rights as States underfund the UN, resist or ignore its recommendations, undermine international criminal law, and suppress independent journalism and human rights advocacy.¹⁷ Countless violations and atrocities are ongoing in numerous countries where authoritarian leaders or powerful elites and business people are defaming or criminalizing journalists and human rights defenders. Whether the apocalyptic doomsayers are right or not, I am not planning to give up advocating for the protection of people who working for fundamental human rights. In the span of history, 70 years is not all that long, and it seems to me that we are just getting started.

The list of backsliding countries is too long, so I will mention just a few. Turkey has been charging and imprisoning large numbers of journalists, academics, lawyers, and human rights

¹³ The TRC's findings confirm previous studies that Aboriginal women and girls are “disproportionately young, poor, unemployed, and likely to have been involved with the child-welfare system and to live in a community marked by social disorder”: Truth and Reconciliation Commission of Canada, *Honouring the Truth, Reconciling for the Future: Summary of the Final Report of the Truth and Reconciliation Commission of Canada*, 2015, at p. 226, available at http://www.trc.ca/websites/trcinstitution/File/2015/Findings/Exec_Summary_2015_05_31_web_o.pdf.

¹⁴ See, for example, Royal Canadian Mounted Police, *Missing and Murdered Aboriginal Women*, 3, <http://www.rcmp-grc.gc.ca/pubs/mmaw-faapd-eng.pdf>; Native Women's Association of Canada, *What Their Stories Tell Us: Research findings from the Sisters In Spirit initiative (2010)*, available at: <http://www.nwac.ca/research/nwac-reports>; Amnesty International, *Stolen Sisters: A Human Rights Response to Discrimination and Violence against Indigenous Women in Canada (2004)*, available at: http://www.amnesty.ca/campaigns/sisters_overview.php.

¹⁵ Still no way to tell how many Indigenous women and girls go missing in Canada each year: StatsCan and some major police forces do not track missing Indigenous women, CBC, <http://www.cbc.ca/news/politics/indigenous-missing-women-police-data-1.4449073>.

¹⁶ Canada: RCMP response to and investigation of killing of Colten Boushie must be independent and must comply with international human rights law. LRWC, 21 March 2018, <https://www.lrwc.org/canada-ensure-independent-and-international-law-compliant-investigation-into-rcmp-response-to-and-investigation-of-extra-judicial-killing-of-colten-boushie-letter/>.

¹⁷ Stephen Hopgood, *The Endtimes of Human Rights* (New York: Cornell University Press, 2013); Eric Posner, *The Twilight of Human Rights Law* (USA: OUP, 2014)

workers and has fired at least 4,000 independent judges. Honduran organized crime and large businesses have been getting away with masterminding attacks and even murders of lawyers and indigenous human rights defenders. Thailand and Cambodia have been prosecuting human rights journalists, lawyers and community land rights defenders. Those are just the countries I have personally visited for research or advocacy in cases of lawyers or human rights defenders at risk.

To that very partial list I will add China, Russia, and the US, three permanent members of the UN Security Council that have consistently blocked interventions to stop serious human rights violations by their allies. Saudi Arabia is also on the list of notorious rights abusers that enjoy international support from Western countries including the US. And I note that Canada persists in claiming that it is fine to sell armoured vehicles to Saudi Arabia despite evidence that the equipment will be used against their own citizens to suppress dissent.

The list goes on and on. I would be remiss in the context of this evening if I did not mention that our upcoming Easter celebrations should be tinged with sorrow that one in twelve Christians in the world are living in countries where their faith is “illegal, forbidden, or punished.”¹⁸ Christians are not the only group persecuted for their faith. Jew and Muslims are also persecuted or oppressed in many places as are adherents to the Baha’i faith in Iran or the Falun Gong in China.

I want to single out Myanmar (or Burma), which I have visited several times, although not since its historic election in 2015 which ousted the military’s majority in government and elected the party led by the famous former human rights champion Aung San Suu Kyi. There was so much hope that her leadership would help bring Myanmar out of its years of military dictatorship and repression. But these hopes have not been fulfilled, particularly in light of last year’s horrifying escalation of persecution against Rohingya Muslim people who live along the North western border with Bangladesh. Myanmar’s military have for decades been involved in persecution of Rohingya Muslims as well as Christianized ethnic minorities, but the latest round of ethnic cleansing of Rohingya that began last August increasingly shows hallmarks of genocide.¹⁹ There has been far too little international intervention, and the atrocities continue.

The crime of genocide has been perpetrated over and over since 1948 despite the international cries of “never again” – repeated again and again – since the genocide of European Jewish and Roma people during World War II. Since that time, the word “genocide” has been heard in shouts or whispers in far too many places. We may immediately think of Cambodia in the 1970s, the former Yugoslavia in the 1990s, and Rwanda in 1994. In too many places, embers of longstanding discrimination are fanned into hate speech by those in power who incite, organize

¹⁸ Open Doors report January 2018 Watch List

https://www.google.ca/search?q=one+in+twelve+christians+persecution&ie=utf-8&oe=utf-8&client=firefox-b&gfe_rd=cr&dcr=0&ei=iTu0WoiCFcje8AeDkZbAAQ

¹⁹ Associated Press, Rohingya crisis has ‘hallmarks of genocide,’ UN official says, The Toronto Star, 1 February 2018, <https://www.thestar.com/news/world/2018/02/01/rohingya-crisis-has-hallmarks-of-genocide-un-official-says.html>; For a brief summary as of November 2017, see Catherine Morris. *Rohingya refugees from Myanmar at the "gates of hell": International law duties of neighbouring States to refugees and asylum seekers*. Briefing note. Peacemakers Trust and Lawyers' Rights Watch Canada, 9 November 2017, <http://www.peacemakers.ca/publications/MyanmarNeighboursNov2017.html>.

or turn a blind eye to escalating violence and atrocities. Small brush fires of discrimination can and do escalate into crimes against humanity or genocide.

Not all genocides are marked by grisly massacres. The hallmark of genocide is not death but actions committed with the intention to eliminate a group in whole or in part. Here in Canada, the concerted attempt to assimilate Indigenous Peoples, including through the government-sponsored and church-run Residential School system, has been termed “cultural genocide” by the Truth and Reconciliation Commission and by former Supreme Court of Canada Chief Justice Beverley McLachlan. Others want the UN recognize it as a “genocide” that fits the criteria of the 1948 *Genocide Convention*²⁰ which Canada ratified in 1952. I believe we need to take these arguments seriously.

Since the report of Canada’s Truth and Reconciliation Commission, which exposed Canada’s genocidal atrocities against indigenous children, “reconciliation” has become a watchword. My research shows a confusing array of meanings attached to the term “reconciliation.”²¹ Ideas range from “thin” conceptions of coexistence²² and toleration,²³ to “thicker” conceptions of forgiveness, mercy, shared vision, mutual healing, or harmony.²⁴ Those who have experienced

²⁰Phil Fontaine and Bernie Farber, "What Canada Committed against First Nations Was Genocide. The UN Should Recognize It," *Globe and Mail* 14 October 2013, <https://www.theglobeandmail.com/globe-debate/what-canada-committed-against-first-nations-was-genocide-the-un-should-recognize-it/article14853747/>; Truth and Reconciliation Commission of Canada, "Honouring the Truth, Reconciling for the Future: Summary of the Final Report of the Truth and Reconciliation Commission of Canada," (Winnipeg: Truth and Reconciliation Commission of Canada, 2015); "What We Have Learned: Principles of Truth and Reconciliation," (Winnipeg: Truth and Reconciliation Commission of Canada, 2015).

²¹ E.g. Michael J. Battle, *Reconciliation: The Ubuntu Theology of Desmond Tutu* (Cleveland: The Pilgrim Press, 1997); John W. De Gruchy, *Reconciliation: Restoring Justice* (Minneapolis: Fortress Press, 2002); John Paul Lederach, *The Journey toward Reconciliation* (Scottsdale, PA, and Waterloo, Ontario: Herald Press, 1999); Robert J. Schreiter, *The Ministry of Reconciliation: Spirituality and Strategies* (Maryknoll, NY: Orbis Books, 1998); Desmond Tutu, *No Future without Forgiveness* (New York: Doubleday, 1999); Miroslav Volf, *Exclusion and Embrace: A Theological Exploration of Identity, Otherness, and Reconciliation* (Nashville, TN: Abingdon Press, 1996).

²² Michael Ignatieff, "The Nightmare from Which We Are Trying to Awake," in *The Warrior's Honor: Ethnic War and the Modern Conscience* (New York: Henry Holt and Company, 1997); *The Warrior's Honor: Ethnic War and the Modern Conscience* (New York: Henry Holt and Company, 1997); "Afterword," in *Imagine Coexistence: Restoring Humanity after Violent Ethnic Conflict*, ed. Antonia Chayes and Martha Minow (San Francisco: Jossey-Bass, 2003). Kreisberg distinguishes reconciliation from coexistence which he says “refers to an accommodation between members of different communities or separate countries who live together without one collectivity trying to destroy or severely harm the other.... Coexistence, however, is often understood to go beyond this minimal level, to include a sense of mutual tolerance and even respect... Accommodations marked by great asymmetry and unilateral imposition are usually regarded as unjust and are not treated here as relations of coexistence.” Louis Kreisberg, "Changing Forms of Coexistence," in *Reconciliation, Justice, and Coexistence: Theory and Practice*, ed. Mohammed Abu-Nimer (Lanham, Boulder, New York, Oxford: Lexington Books, 2001). Galtung defines “coexistence” as “an agreement between parties to proceed on parallel tracks, each within its own dialectic; coexistence may be ‘passive coexistence’ meaning “negative peace,” or as ‘active coexistence,’ meaning “positive peace.”” Johan Galtung, "After Violence, Reconstruction, Reconciliation, and Resolution: Coping with Visible and Invisible Effects of War and Violence," *ibid.*, 3.

²³ Vince Gamberale, "The Role of Economic Development in Reconciliation," (2007).

²⁴ This typology (thin to thick) draws on David A. Crocker, "Reckoning with Past Wrongs," in *Dilemmas of Reconciliation: Cases and Concepts*, ed. Carol A.L. Prager and Trudy Govier (Waterloo, ON: Wilfred Laurier University Press, 2003), 54., citing an excellent discussion by Amy Gutmann and Dennis Thompson, "The Moral

atrocities reject versions of reconciliation that promote the idea that the survivors should “forgive and forget and let’s move on and get along.”

People who have been subjected to atrocities or genocide are often asked to look to the future instead of the past. People may querulously ask: “why not just get over it?” But those who have experienced atrocities know that any meaningful reconciliation requires truthful acknowledgement as well as reparations for past injustices.

People don’t “get over” atrocities by burying them. The “subterranean histories”²⁵ keep surfacing as unhealed memories are triggered by new reminders of unacknowledged wrongs and unrestored. Unhealed memories of past traumas are triggered by contemporary wrongs.²⁶ Trauma from atrocities and genocide becomes intergenerational, and traumatic memories become part of survivors’ identity. Old and new memories become conflated.²⁷ Contemporary acts of anti-Semitism trigger the traumas of the holocaust. One commentator records that during the wars in the former Yugoslavia in the 1990s, journalists sometimes couldn’t tell whether the stories they were hearing “had occurred yesterday or in 1941 or 1841 or 1441. For tellers of the tale, yesterday and today were the same,” he writes.²⁸ Just last month, Armenia welcomed the Netherlands’ official parliamentary recognition that the attempt to annihilate Armenian Christians by the Ottoman Empire from 1915-1917 was a “genocide” despite continuous denials by Turkey’s governments.²⁹ As the American author William Faulkner famously wrote: “The past is never dead. It's not even past.”³⁰

The blood and bones of victims continue to cry out from the ground until justice is done. Sometimes this is more than a metaphor.³¹ All over the world there are violently displaced peoples, and the unidentified remains of men, women and children deprived of their lives. Many have been “disappeared.”³² These atrocities sometimes implicate state officials and elite members of society – or their descendants – who remain powerful in successor governments and institutions and societies. Europe’s, Cambodia’s and Rwanda’s mass or unmarked graves, and the unmarked graves of indigenous children who died in Canada’s Residential Schools have not yet yielded the identities of all the victims or what happened to them. Their surviving loved ones and descendants continue to suffer the anguish of not knowing what happened to their loved ones. Descendants deeply feel the sadness and sense of unresolved injustice experienced by

Foundations of Truth Commissions " in *Truth V. Justice: The Morality of Truth Commissions*, ed. Robert I. Rotberg and Dennis Thompson (Princeton and Oxford: Princeton University Press, 2000).

²⁵ Torpey, J. (2006) *Making Whole What Has Been Smashed: On Reparations Politics*, Harvard University Press, Cambridge, MA, and London, UK. Page 8, citing Hannah Arendt (1958 (1998)) *The Human Condition*, University of Chicago Press Chicago and London, p ix

²⁶ (Volkan, 2005)

²⁷ (Redekop, 2002, p. 291)

²⁸ (Ignatieff, 1996, pp. 120-121)

²⁹ Turkey Condemns Dutch Parliament’s Recognition Of Armenian 'Genocide,' RFE/RL ,22 February 2018, <https://www.rferl.org/a/dutch-parliament-recognizes-armenia-genocide/29057328.html>. Canada recognized the genocide in 2004, but the USA has not recognized it.

³⁰ William Faulkner, *Requiem for a Nun* (1951), Act 1, sc. 3

³¹ John Paul Lederach and Angela Jill Lederach, *When Blood and Bones Cry Out: Journeys through the Soundscape of Healing and Reconciliation* (New York: Oxford University Press, 2010), 34-40.

³² See, e.g. Yasmin Naqvi, "The Right to the Truth in International Law: Fact or Fiction," *International Review of the Red Cross* 88, no. 862 (2006).

parents and grandparents and great-grandparents and more. People in countries where massive atrocities have been perpetrated have a basic need to understand what happened – beyond rumours, speculations, denials and lies that circulate and become solidified. Survivors and their descendants struggle to have their stories heard and believed. Future generations need to know the truth if for no other reason than to avoid the resurgence and spread of new lies or justifications for historic atrocities.

What hope can I offer as we draw near to Holy Week and Easter?

What does the *Universal Declaration of Human Rights* say about this? It says that the recognition of human rights is the foundation of freedom, peace and justice in the world. But who is responsible to do what? Here is what part of its preamble says:

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 (emphasis added).

All countries' governments are responsible to take measures to progress towards implement the Declaration. But the preamble also specifies that “every individual” and “every organ of society” – meaning each of us – is responsible to promote human rights through teaching and education throughout all member States of the United Nations. I believe this is a good start.

Lent seems to be a good time to be willing to be challenged to consider what hope for human rights is offered by the historic teachings of the Christian church. First, we can consider the foundation of historic Christian teaching, who is Jesus. We can copy the example of Jesus, by aligning ourselves with those who are suffering injustice and with those advocating social justice.

And there are other familiar principles that I have been reminding myself about. One is the principle non-discriminatory equality found in the Golden Rule: Treat others as you would like to be treated. Those of us who are part of the church will know that Jesus teaches that God loves the world – including all of humankind – and that accordingly, God's overall message to people is to return love to God, and to love our neighbours as ourselves. Jesus even said “love your enemy.” In my understanding of Christian teaching, the Christian stance towards others – even those who try to harm us – is radical; it is not “eye for an eye” hostility, but kindness. What I take from this is that I am called to consider all other people to be as worthy of respect as I am. No matter what, your entitlements are as important as mine. This teaching is difficult, because it requires profound and continual transformation of my mindset to give as much importance to your entitlements, your wellbeing, and your families and friends, as I give to mine.

Another is the bible's clear teaching against racialized or economic discrimination or injustice. Contemporary interpretations of the bible have made it clear (to me at least) that Jesus fully accepts and includes women on the same footing as men. But anyone who reads the news knows

that not all those who call themselves Christians think alike, and that a small but vocal minority in North America, who self-identify as Christians, have been actively promoting or inciting hatred against identifiable groups based on religious, racialized or gender identity. I have no hesitation in categorically rejecting any promotion or incitement of discriminatory hatred. We also know that many religious groups and churches are struggling with intense internal, and in some cases external, controversies over historic teachings about roles of women, reproductive choice, and same-sex expression of sexuality. These controversies have pitted people – including church people – against one another. Whatever we believe about these matters, it is important to emphasize that the internationally protected right to manifest religion or belief includes the right to peaceful expression of dissent, including in the public square. It is important to realize that all rights are important and must be fulfilled. When one set of rights seems to conflict with another, we need to find ways to negotiate solutions that ensure that everyone’s rights are respected so that profound disagreement does not escalate into hatred, discrimination or worse.

Another ethical principle that I believe can help us with difficult controversy is the biblical principle of non-condemning lovingkindness, usually referred to as non-judgemental love. According to historic church teaching, the purpose of Jesus ministry, death and resurrection is not to condemn, but to overcome condemnation and to reconcile all of creation – including all people – to the God of love. Non-condemnation, lovingkindness and hospitality³³ are integral to the concept of God’s grace (or graciousness) which Christians are meant to imitate. The principle of lovingkindness precludes discourteous forms of social criticism that we see so often on social media in the form of trolling, name-calling, sneering or other incivility. A healthy society includes those with diverse opinions where people do not exclude one another or build polarization. Rather, a healthy society fosters respect and inclusion while at the same time respecting everybody’s right to the freedom of sincere manifestation of religion or belief, including the right to dissent. The right to dissent is fundamental to a democratic society, and welcomes peaceful – but kindly – provocation of one another about our beliefs and practices.

A third principle relates to power. Jesus teaches believers not to dominate others but to be servants to everyone. Alas, as many rightly point out, churches have historically participated actively in cultures of domination and persecution instead of renouncing and challenging them. This has led to catastrophic results for Indigenous Peoples and other colonized peoples as well as to anti-Semitism, Islamophobia and other persecutions, including even genocide.

Finally, we can consider the ancient prophets recorded in the bible who model ways to confront those in power with disagreeable truths of social injustice. Prophets are often associated with doom-saying criticism. While informed critique sometimes leads to transformation, at other times it leads nowhere except to guilt, paralysis or even angry denials of the prophet’s message. I have been pondering how we reconcile social critique with Jesus’ admonition, “do not judge lest you be judged.” It seems to me that this admonition refers to condemnation rather than to wise discernment of truth and caring approaches to truth-telling.

According to Walter Brueggemann, the task of prophetic ministry is to use truth-telling not merely to criticize but to energize people towards an alternative vision for the community.

³³ Henri J. M. Nouwen, *Reaching Out: The Three Movements of the Spiritual Life* (Garden City, NY: Image Books, 1986).

Energization of the community may well include telling truths that pierce our “numbness” about injustice to the point that we can deeply grieve and lament³⁴ oppression and injustice and decide instead to embrace lovingkindness and justice. For Christians, this involves embracing the source of love and justice in the person of Jesus.³⁵

³⁴ Soong-Chan Rah, *Prophetic Lament: A Call for Justice in Troubled Times* (Downers Grove, IL: IVP Books, 2015), 125.

³⁵ Walter Brueggeman, *The Prophetic Imagination* (Philadelphia: Fortress Press, 1978), 13-14.